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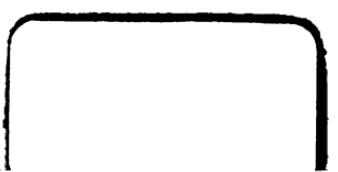
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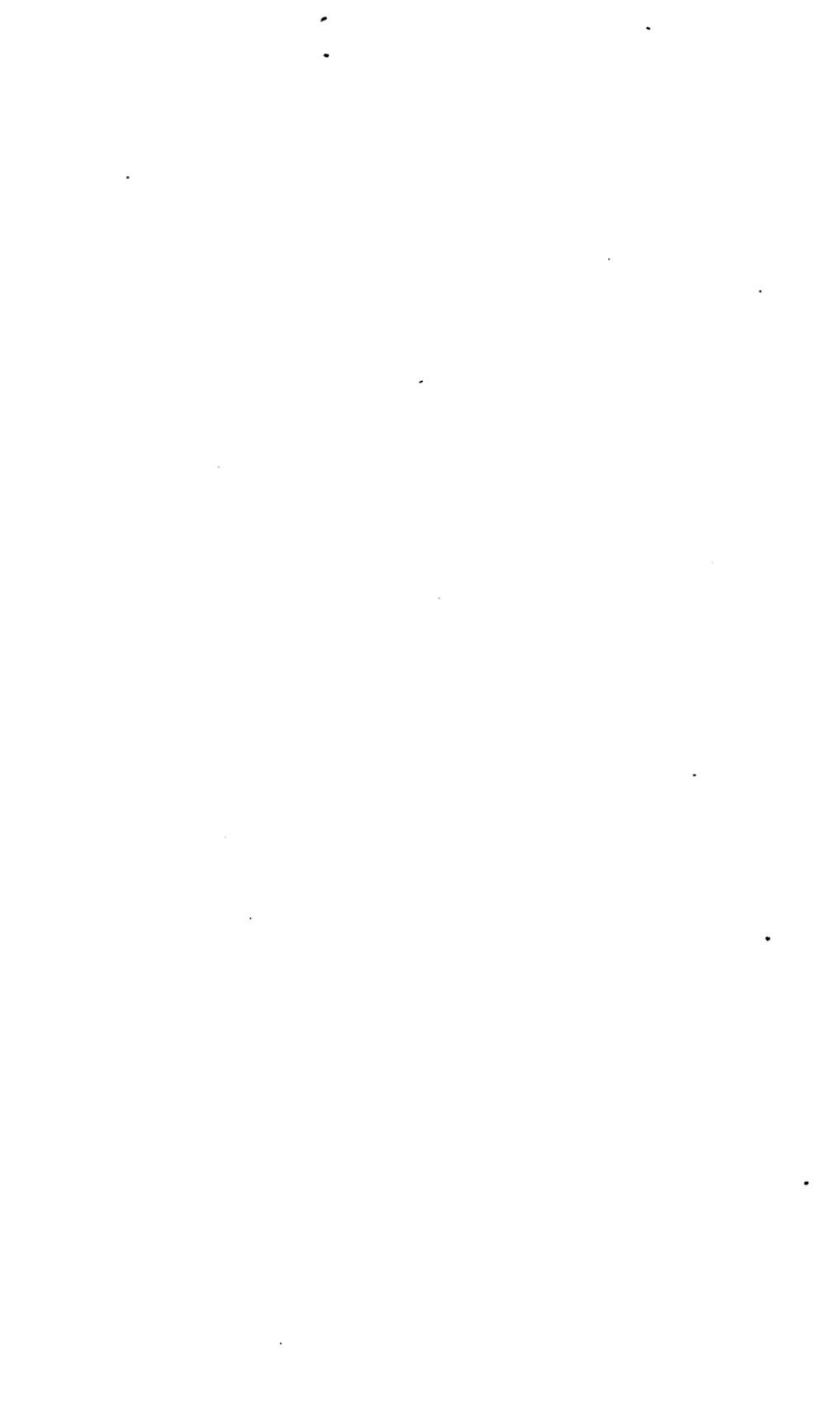


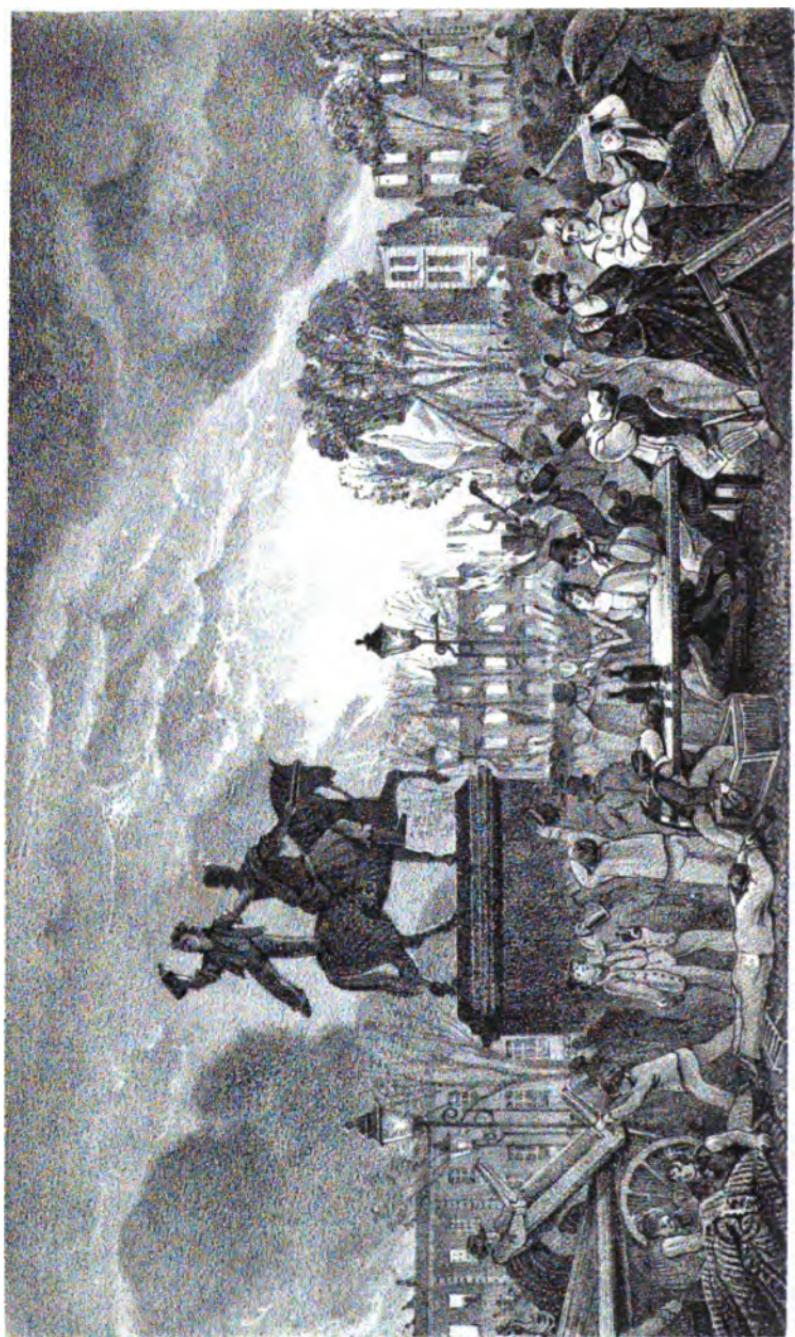
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# BRISTOL RIOTS,

THEIR

## CAUSES, PROGRESS, AND CONSEQUENCES.

BY A CITIZEN.

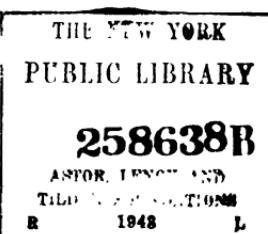
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## TRIAL OF THE BRISTOL MAGISTRATES.

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*In the Press, and shortly will be Published, in demy octavo,*

### A FULL REPORT

OF THE

## TRIAL OF CHARLES PINNEY, Esq.

MAYOR OF BRISTOL,

Of an Information charging him with neglect of duty during the Riots;

INCLUDING

*The whole of the Speeches of Counsel,*

Mr. Justice LITTLEDALE's Charge to the Jury, and the

Entire Evidence of the Witnesses,

Accurately transcribed from the Report of Mr. GURNEY, the eminent  
Short-hand Writer.

David Four 20 Oct 1811



# THE BRISTOL RIOTS,

THEIR

## CAUSES, PROGRESS, AND CONSEQUENCES.

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### PART I.

ACCOUNTS of the Bristol Riots have already appeared; but they have been considered either defective in information or delusive in their spirit—as written too near the events, or to serve purposes of local feeling. But the Bristol Riots perhaps less belong to local than to general history; and, even among the records of these important and stirring times, will be viewed and referred to with a deep interest. The writer of the following pages, therefore, is aware that he is treating a subject of great moment; that his Narrative can only acquire a value from its truth; and he has strenuously endeavoured that his statements, whatever may be his arguments and conclusions, shall be correct. He makes no apology for occasionally adopting, in their very language, such authentic documents as have already been published. Nor can he withhold the expression of his admiration for at least one account, that taken from the "Job Nott" paper, under the signature of Nehemiah, which, had it been somewhat more extensive, would have left no task to be performed.

In treating this subject fairly, it will be necessary to shew what was the general or the predominant political feeling at Bristol, up to the very moment of that sudden impulse, which brought Earl Grey's Ministry into office ; and what change that impulse, and the consequent measures of the new Adminstration, effected. For the former purpose, it will be required to make a few remarks upon the state of Parties in that city ; and it will appear evident, that had not the most violent alteration taken place in the public feeling of large masses of the citizens, Bristol would never have been disgraced by the encouragement, nor deformed by the horrors of the riots.

Besides the distribution of parties into Whig, Tory, and Radical, common to Bristol with nearly every part of the kingdom, two others, though not political, must be mentioned—the Corporation, and a Party opposed to some of their measures.

The first of these two are the local Magistracy, composed of persons of various political opinions, and may contain a mixture of Tories, Whigs, and Radicals—and such likewise is the composition of the party opposed to them. These two are strictly local ; nor would they come within the scope of this narrative, had not the differences between them engendered heats, which, however harmless in other times, in those of unprecedented and unlooked for excitement must have had a tendency to weaken the influence of the Magistracy, and are perhaps now regretted, on this account, by the greater part of the persons who were concerned in them.

It is but fairness to the Magistrates that the facts and tendency of this controversy should be mentioned, other-

wise the public could not arrive at a right estimate of the performance of their duties. For it is but reasonable the public expectation from Authorities, in this respect, should be measured by the power they possess.

Of the three political parties, the Tory was unquestionably the most influential and numerous; in proof of which it may be only necessary to refer to the general election of 1830.

Nor can the great respectability and influence of the Whigs be denied. As if, by a tacit consent, these parties were unwilling, for mere party purposes, to try their respective strength; and without any dereliction of principles on either side, they may be said to have been on the best understanding with each other. Thus for instance, at Mr. Davis's election, in July 1830, a very great proportion of the Whigs gave their second votes to the Tory Candidate. Indeed it appeared evident, that the Whigs were nearly as much disposed to support the Government, and were as adverse to the Radicals, as the Tories themselves. And the mention of this circumstance renders it not very necessary to say much about the strength of the Radical party. Without a question it contained some respectable persons, strongly inclined to Republican views; but the mass were composed of all shades of political opinion and all grades of character, downward to the worst extreme, of dissentient and unsocial *parts*, having little in common except a real dislike to both Whigs and Tories; all agreeing in a desire for change, and though ready to join either, to further their own ends, too undisguised, and it may be said too honest or too bold in their opinions, either to conceal their ultimate views, various and inconsistent as

they were, or their real hostility to which ever party might call them into action. The peculiarity of the Radicals is, that having no one leader, and no one set of principles, they receive under their denomination the discontented,—the unsuccessful, who are ever inclined to ascribe to any thing but themselves their failings,—the dissolute, who are naturally averse to the checks of law and religion,—the mass without political knowledge,—men of inflamed passions and little understanding and education—the envious of the rich,—the turbulent,—the idle, who would prefer the chance of plunder to the toil and humble gain of industry,—profligates of every description,—the refuse of society;—and all, with their several undigested notions and views, seek an importance by attaching themselves to a party, which they find opposed alike to Whig and to Tory; which opposition may in fact be considered the only principle of their junction. It is evident that this peculiarity, in times of legislative integrity, when Whig and Tory, and the large community who mix in political party, are all against them, constitutes their weakness, but in times of excitement, their strength—for they acquire a numerical force in proportion to the heats and divisions among the two great parties, and become formidable in their attempts to disturb the peace of society. It is true their triumph has hitherto been but temporary, yet the irruption (although contemptible as to any permanent or ultimate effects on the British Constitution or British loyalty,) has often before inflicted very serious injury on the property and lives of the loyal and well-disposed in detached districts and towns; but the first healing of State divisions has hitherto put an end to

them. Until lately, any attempt to attach these to either the Whig or Tory party, for the sake of their physical force, would have been considered by all, as if by mutual consent, adverse to the real political principles of both, and a parricidal act against the Constitution.

It was not likely, therefore, that they would make proselytes from the ranks of Whig or Tory; and as both agreed in considering Radical opinions utterly subversive of the Constitution, no alliance was attempted. The powerful aid they might have given to either party, had the balance even been nearly equal, would have been a triumph to themselves; yet by themselves, though they might and did collect tumultuous assemblies, they had no efficient political power.

This, probably, was not the state of feeling in Bristol only, but it was that of the country at large; for the population do but follow broadly the great distinctions of party in the State;—and it is wonderful how strong is this disposition of attachment, which will often keep together a party when the principles upon which it has been formed, and on which it may have acted for ages, shall have been scattered to the winds by some bold innovator, commanding the admiration of the rest, and taking the lead. When leaders are of powerful minds, it is easier to depose principles than men. Thus it will be observed how nearly the remark that have been made upon the conduct of the great and leading Whig party in the State, are applicable to their adherents in Bristol. Out of attachment to their leaders, they are forced upon the same inconsistency, and with an *esprit de corps*, rather than reflection upon their principles, seek in ingenuity and sophistications to

account for and to justify their change of position. This principle of action in nature, is generally one of safety,—a safety guaranteed by the real political soundness and characters of the great leaders in the State; but it may be rendered one of great danger, and afford powerful persons the means of turning the whole course and current of human opinions, manners, affections, and duties. And if social compacts were not frequently brought to this doubtful position, they would perhaps have an endless duration. It is this principle which makes the genius of one man all-powerful, and involves the history of myriads of mankind in the incidents and circumstances of a few predominant characters. It is Cæsar or Pompey that is to govern the destinies of a world.

Nor must it be omitted, in speaking of the state of parties in Bristol, that more than ordinary exertions had been recently made there, by societies formed for the express purpose of emancipating the slaves in the West Indian Colonies, and perhaps more indiscretion shewn in the choice of language applied to those most deeply interested in the West India properties; and the careless use of the terms, *liberty* and *slavery*, and the promulgation of ill-digested notions on the very elements of society, arising out of these discussions, and rendered acrimonious by the peculiar character of the times, engendered a spirit in Bristol, (a city to which the West India interest has always been and must ever be of so much importance,) the future influence of which has not yet been either fully weighed or felt. And it is worthy of note, that this spirit arose in direct hostility to the *leading interests* in Bristol, and

a notion was inculcated with great industry among the lowest orders, that the great merchants, to whom they had been wont to look up with respect, were drawing their resources from human blood, and were collecting their revenues through the whip and the slave driver. This feeling engendered, the names of slave and master became easily transferable, whenever the demagogue should find it an object worthy of his art.

The state of parties and of public sentiment at Bristol, up to the Three Days at Paris, has been, it is confidently hoped, impartially represented.

The consequences of that event are well known. The Whigs, while the wound inflicted by Catholic Emancipation was still festering, and the Tories were vacillating and divided, made a desperate effort, took advantage of the ferment of the French Revolution, and succeeded in overthrowing the Administration. It was then, finding themselves inexperienced in office, and conscious of weakness, that they might secure a lasting triumph over their fallen enemies, they threw themselves into an unholy alliance with the Radicals. It is fair to presume, they calculated on having more power than they really possessed over their new allies ; that they thought they should be able to direct, if not command ; but they soon found their new associates in power were too arrogant under the adoption to become any thing but masters.

Is it probable, it has been asked, that these highly Aristocratic Whigs would seek an association that *must* be destructive of the Constitution ? Have they not great names, titles, reputation, and property, and all at stake ? Undoubtedly,—and such has been the case in numberless instances in the history of the world : yet

kingdoms have been overthrown. Their intentions to see the State preserved are not brought into question, but their ability. They may be deluded—deceived—and hereafter, if they be allowed a respite for thought by their new and cruel Sovereigns, lift up their heads in surprise, and bitterly regret that they had put so much to the hazard of a New Hope; the fallacious character of which is only to be discovered in the irremediable and tragic consequences of its failure. We know from experience that there are passions in men, that party inflames till they become dominant over judgment. It is not necessary that men should be scoundrels, villains, and traitors, to do as much harm as the worst villains and traitors can do. Self-deception leads often to greater ruin than evil intention. A long habit engenders a prejudice, and perverts reason. Or how shall we account for the contradictions in the same characters? If Earl Grey's speech to-morrow shall contradict Earl Grey's speech of to-day;—if the Ministry have written most ably, and spoken in cooler days in direct contradiction to, nay in abhorrence of the very measures they are now adopting, to which period of their judgment are the public to look? Can the manifest open change afford any reasonable confidence for the future. If their judgment be now good, it was then bad; yet it is from that which, approving the present, we must pronounce bad, that we give them any credit for judgment at all. The public must not be deceived by high names, characters, or even the high stake the Ministers may have; for exactly such persons have destroyed empires, and have fallen with them. The same contradiction of opinions runs through the party.

They “followed the leader;” they called themselves Whigs, though not a rag of Whiggism remained about them; they herewith bowed down to the despotism of Earl Grey, and did not see that he was at the feet of the despotism of the mob.

This honesty they all durst swear for,  
Though not a man of whom knew wherefore.

So it was at Bristol ;—when the Ministry of Earl Grey sought a coalition with the Radicals, the Whigs in Bristol did the same—they joined forces with the *extremes*, and their humbled commanders were hurried by a new military rabble into the Praetorium of Political Union, to be superseded, and receive anew, with a show of thankfulness, their commissions of inferior rank.

The general distress that affected the kingdom and threw numbers out of employ, or afforded but slender means of subsistence to the working classes, the causes of which it would be foreign to this narrative to enquire into, was perhaps as lightly felt at Bristol as at most places. The Colonial Policy, and the agitation of new and wild theories about Slave Emancipation, had indeed been injurious to the interests of the great West India merchants, the consequences of which have been since fully known ; but it does not appear that the poorer and labouring class were sufferers to any extent. The extensive coasting trade and increased communication and trade with Ireland remained a beneficial source of employment ; and it may be safely asserted, that until the effects of the Reform Bill produced stagnation in *all* trades, and consequent distress, Bristol was more fortunately situated, with regard to provision for its poor and labouring classes, than perhaps any other city in the kingdom.



## PART II.

Previously to entering more at large into the effects of the Reform agitation, it will be necessary to state the excitement produced by the French Revolution. It has been shewn that the public feeling at Bristol, up to that period, was tranquil—was one of *remarkable confidence in the Tory Member*. It may be as well to pass over the general feverish condition which that event produced in the Radicals throughout the kingdom, and how readily it gave them the command of the desperate rabble. The course of this Narrative will be best pursued by confining the inquiry to the particulars of the reception of that event in Bristol.

A meeting was held at the Guildhall, on the 9th of September, 1830, to congratulate the French on their Revolution ; when the following resolutions were passed :

“ That the French People, by their forbearance in confining their efforts within the limits of constitutional resistance to the machinations of their late Government, so long as that Government adhered to the letter of the Charter, and by the caution, the moderation, the respect for civil order, and the sagacity with which they avail themselves of existing institutions, on the late resumption of their natural rights, have exhibited a signal and in-valuable example of national wisdom and virtue, which it may be expected, under the Divine Blessing, will be crowned with an abundant harvest of prosperity to that kingdom.

“That when the late infatuated French Government, by its infraction of the social compact, proclaimed itself the enemy of the rights of the nation,—the Inhabitants of Paris, by the promptitude, the energy, and the heroic self-devotion with which they defeated its treasonable attacks, entitled themselves to the approbation and gratitude of the world at large.

“That the scrupulous respect for the security of persons and of property, during the Civil War which raged for three days in the streets of a populous city, and especially the humane forbearance from vindictive or needless effusion of blood, and the generous care for the security and support of the vanquished, which so honourably distinguished that memorable conflict, are unparalleled in the annals of the world, and give the fairest ground of hope that the progress of modern civilization, and the influence of popular forms of government, have already opened a new era in the History of Man.

“That this Meeting is of opinion, that the grand exhibition of patriotic resistance to French Despotism, which has ennobled that Nation, first manifested itself in the Province of Brittany, to the brave Inhabitants of which enlightened district the best thanks of every free man, and every friend of constitutional liberty is especially due.

“That this Meeting cannot omit the opportunity of recording their profound admiration of the magnanimous patriotism which has recently crowned the eventful and virtuous life of the venerable General DE LA FAYETTE; and that the Chairman be requested to forward a Copy of these Resolutions to that distinguished ornament

of the human race, to be by him communicated to the French people in such manner as he shall direct."

It would have been prudence, perhaps, to have waited a little longer, to have been sure that these resolutions would have been justified by the subsequent *measures* of the French. It is hazardous to pour into the ears of impatient mobs idolatrous praise of revolutions—of a revolution effected in the streets, by the multitude against the Government,—their success against a military force;—these are subjects for cautious admiration, nice survey,—for reflection in the closet, rather than of hasty exposition in the public streets, and applause before a giddy multitude. But the danger of such proceedings becomes apparent when, in inflammatory language, appeals are made to the passions, and they are enlisted on the side of hostility to the existing state of things in our *own* Constitutional Government. The dullest understanding can draw a parallel case. And "the People" return from such meetings, if wiser in the art of barricading and resistance, certainly not more contented nor more peaceable citizens—they nourish within them the fire that will one day break out into flame. Will the authors of the excitation *then* deny that they kindled the first sparks, and supplied the fuel, that shall have burst forth into conflagration? There is reason to fear they will. Confession is the tardiest of virtues, and seldom leaves home.

It would be more curious than advantageous to the cause of this Narrative, to mark the inconsistency between the resolutions passed at that meeting, and the measures of the French Government subsequent to the three days, and which certainly form a part of that

Revolution. But as we are told in the first resolution to congratulate the French "*on their forbearance in confining their efforts within the limits of Constitutional resistance to the machinations,*" &c. of "*the sagacity with which they availed themselves of existing institutions,*" we cannot avoid *now* remarking what little respect they have since shown for their Constitutional Charter, and for existing and unoffending institutions. What have they done with *their* House of Peers? Where is the respect for the Institution of Religion? The multitude, in whose ears the praises of that day are still ringing, should at least be told by the parties who then influenced them, that these ulterior results do not merit their approbation. Nor can it be very judicious to pass a resolution at a public meeting in Bristol, expressing any "*ground of hope that the progress of modern civilization, and the influence of popular forms of Government, have already opened a new era in the History of Man.*"

But if resolutions, preconcerted and digested, are in themselves unfit for the ear of a public meeting, it can obtain but little wonder if the *speeches* are found of a somewhat more unbridled licence.

The fears of the cautious were treated with contempt—as of those who absurdly imagined that "*Thrones were to be overturned—the Altars of Christendom were to be torn down—cloud-capt temples and gorgeous palaces were to pass away—War was to issue from his lair, with Atheism and Massacre at his side—*

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*While at his heels,  
Leash'd in like hounds, shall famine, sword and fire,  
Crouch for employment.*"

It is not very desirable that the people should have such passages of oratory to remember, lest they should in their madness apply them, and cry, in the words immediately preceding the quotation, "*O, for a muse of Fire!*" "But there was a second set of persons, (continued the speaker) who expressed their fears in a more reasonable manner. These gentlemen imagined that all this French caution, moderation and forbearance, sagacity and love for social order, were things too good a great deal to last, and they founded their fears on the circumstance of there having been no distinct recognition on the part of the French Government of Providential interference." Now, though our own Government, in *their* sagacity, have thought fit to imitate the French in this singular omission, it cannot be denied that the fears *were* reasonable.

Another class of persons were thus pointed out to the people. "But there was a third class of alarmists for whom he had not so great a respect as for the last, and they were those who laboured under sensibilities and sympathies exquisitely proportioned to the large interests they had at stake, and the craft which they supposed to be in danger. These were they who hated as well as feared *revolutions*, because they lead to *reformations*. These were they who, could they be dragged into the temple of truth, and made to speak their undisguised sentiments, would murmur away in something like this strain: 'I quake for my comfortable salary so long paid to me for doing just nothing at all,' exclaims some trembling sinecurist—'I fear for my large pension, saddled on the public purse for the sake of my great grandfather,' cries a right honourable idler—'I fear for

my fat fees and perquisites of office,' says another—'I much preferred affairs as they were,' yawns some slumbering dignitary in Church or State—'things have gone on vastly well from generation to generation,' (he meant no parody) shout the small fry among the retainers of the Treasury, or the hangers-on of Government, as they were justly termed. Among these, and such as these, who might be described as the pampered plunderers of the State, &c."

Assuredly, if this language and such as this be held out to the people, it will in truth "murder sleep," and "yawning dignitaries," and "right honourable idlers," Treasuries and Governments will be allowed to sleep no more,—or for ever.

Another speaker says,—

"They have separated the Church from the State.\* (*Immense cheering.*) Some persons have asserted that this feature of the revolution endears it especially to Dissenters, because it is regarded by them as the earnest of the dissolution of Church and State in this country: as a Protestant Dissenter, I hurl back the imputation with an indignant protest."

It is very evident, that the "some persons" above mentioned had a clear insight into things, and saw that France would but marshal the way she should go, to

\* Even as a Dissenter, or as a Roman Catholic, I should recognize the utility of the Church Establishment, because the civil and ecclesiastical systems, mutually supporting and supported, constitute that fabric of the State which secures our persons, our property, and our privileges; and as the Church has grown with the growth of the British Constitution in its happiest periods, and is so interwoven with all its principles, forms, and interests, it is clear that they must stand or fall together.

England under a Whig administration. It is hoped the Protestant Dissenter will see the benefit of this protest, and with the aid of his brethren, make it known where it may be effected.

This same speaker is very eloquent upon our Constitution, and the passage is so directly in the teeth of the former orator, and of the present Whig doctrine, that it may be worthy of note, as well as that it is admirable in itself. It is thus:—

“In the midst of all these commotions, our Constitution, like our Island, stands as a rock in the midst of the deep, defying the fury of the storm. On the summit, the flame of freedom blazes to illumine neighbouring nations in modelling their Constitutions after our own, as the most perfect pattern to imitate. The French nation have profited by the model. In our Constitution they have seen the spirit and power of monarchy without tyranny—an aristocracy without oppression—and a popular government without disorder. They have, by imitating us, declared that our *Constitution cannot be understood without being admired*—cannot be enjoyed without being applauded by every one, who has sense enough to perceive its excellence, or gratitude sufficient to acknowledge its benefits.”

How soon, alas, has that sense and gratitude evaporated! The Constitution was discovered almost immediately after this eulogy, to be a thing of naught—and, ~~so far from~~ the French being such fools as to imitate us, they have run a far wiser and wider course, and our new Government, taking the recommendation of the *Edinburgh Review*, are pulling our's to pieces to

re-build it on the *last French model.*" *Sic transit gloria mundi*—

"So departs the *glory of the world.*"

But this admirable eulogy is not suffered to make a good impression, for another speaker rises to tell the multitude that "The Press is the support of liberal principles, and if the great holders of boroughs in England do not take a warning by the French revolution, and let us have a reformation of our system of representation, *we must have a revolution.*"

This speech was not so effective *then* as it has since been, so little *then* did the people think of Reform. They had not been ministerially appealed to.

It has been thought right to make these short extracts from the speeches delivered on the occasion of transmitting the congratulations of the Citizens of Bristol to the French upon "their glorious Three Days," because it was the commencement of a system of gestation and appeal to popular passion, that has from that day been unceasingly in operation, vehement operation, up to the lamentable riots. What exact quantity of fuel was then laid in, or whether the sparks were elicited that were subsequently to set the city in a blaze, will be best determined in the sequel. But notwithstanding the excitement which was destined to work in its due time, there are conclusions of some importance to this narrative to be drawn from that meeting. That *then* there were people who did not think so very meanly of our Constitution—nay, that not one in the whole assembly considered himself, as now unfortunately too many do, enslaved—and that Reform, yes, so late as at the

meeting held the 9th of September, 1830, was a matter they very little, if at all, troubled their heads about.

And this naturally leads to a consideration of the effect of Reform being ministerially offered to the people; and the manner in which it was offered.



## PART III.

There is no need to enter into any detail of intermediate proceedings, of little importance to the subject, but proceed at once to the Reform Bill, the *great measure* and cause of popular excitement, brought forward by the new Administration which, in point of time, so shortly followed the meeting at Bristol that has been described.

And here some further specimens of the deluding oratory of the system of agitation will be shewn ; and it may be worth remarking, that Queen-Square, the place where the most inflammatory speeches were delivered, was not more the scene of outrageous deeds, than of words.

But a few preliminary remarks are required, that the citizens of Bristol, whether orators or actors, may not bear *all* the blame. There will be, without doubt, sufficient laid to their charge. But they had their supporters and instigators, and these must be brought to the investigation—for it was an extraordinary combination that was able to effect such a condition of things, as should leave the second city in the kingdom for days to the merciless unrestrained fury of an incendiary populace.

The Reform Bill was proposed to the Legislature by the Government, with a confession of its dangerous tendency. It was admitted by Lord J. Russell to be a perilous experiment.

It may be here fairly asked, why was a measure of admitted danger brought forward; when the country had a right to expect that such measure having been so long the favourite premeditated scheme of the party in power,—having received the sanction of their matured judgment, their increased experience,—and above all, having been so frequently, unhesitatingly, and urgently pressed upon unwilling Administrations, and a people unusually sluggish in apprehending its advantages, (for during the last forty years it made no progress in the estimation of the public, except in times of peculiar excitement from other causes,—and “the people” still persisted, in common with the whole civilized world, in their admiration of the Constitution of England,) why, it may be asked, was a measure, which had all these advantages of time, judgment, and experience, for the due concocting it, not fully divested of every thing like danger? If it was not in the nature of things that it should be exempt from peril, why was it not so laid before the Legislature, that every peculiarity and mischievous tendency might be eradicated or amended? Why was it put forth with dictatorial authority? “We acknowledge it to be fraught with peril, but you shall not touch an iota of the component parts. You shall pass it—whole—we will not allow of alteration or remonstrance.” This, indeed, was to exhibit a proud bearing to the world—but it is not the audacious front that always indicates confidence and soundness at the heart. If it proceeded from courage, was it not a courage borrowed from their supporters? It was a confession of a degrading truth;—they had discovered their *own* weakness, that their administration could not stand a month,

that it was sinking fast into universal contempt; and in their zeal to maintain their party in place they sought a coalition with the Radicals and the populace. They did what no Government ever did before,—called in as judges between them and their more honourable opponents, the low rabble, the desperate physical force, whom, if they professed to be a Government, it was their first duty to restrain. These, however, were not to be won without a bribe. The bribe was large—it was political power. It was power—the power of a large dominion. It partook of the nature of that last and strongest temptation of Satan, when he offered “the kingdoms of this world and the glory of them.” The coalition was perfected—and every old Whig principle was swept away in its potency. Whig principle would have recommended a deference to a Parliament that had so scrutinized and thrown open to public gaze “the Civil List,”—that had rejected a Tory Administration, and called the Whigs into power. But no—it was the fiat of the “sovereign people” that the Bill of the bribe should not be questioned. Hence the boldness assumed—the dictatorial decision of the Ministry. Turn them out of the House, said the people, if they dare to hesitate—to suggest the slightest alteration. The fiat is obeyed. Is the Parliament dissolved on account of any evil suggestion it dared to give? Quite the reverse; for the recommendation for which it was nominally ejected, is adopted. There must be a Parliament of the new coalition power—and the farce of an appeal to the “sense of the people” is enacted. The sense of the people is of course in agreement with the promises held out to them. Delegates, pledged,

chained down not only to the Bill, but to every measure, however mischievous, of foreign or domestic character, until the Bill shall have passed, are returned to a British Parliament, at the instigation and under the unprecedentedly exercised authority and influence of the Whig Administration. But the Whig principles are sacrificed—they are positively extinct. The new principles are dominant,—dominant alike over the Ministers who, in their envy, admitted them to a parley, and over the best, the Conservative, interests of the country.

These new principles, so directly contradictory to the old and many of them sterling good Whig principles, must be forced by a hired Press upon the Executive, lest they dare retract; and with the aid of the name of Government, must be forced upon the admiration, or at least adoption, of all classes.

For civil and religious liberty, a reign of terror must be commenced. If a Tory appear at an election, the cry is that he must be struck down. The Parson must be first insulted, and then crushed. The name of the King must be sent forth on errands of sedition and treason against the Constitution. The delegate Commons dare not oppose the Bill. If the Peers dare oppose it, they must be threatened with annihilation. If the Bishops, they must be dismissed from their seats, and held up to the execration of an infuriate mob. The Church is against it—rob her of her tithes, and reduce her Ministers to the condition of parish paupers. Peers, Magistrates, Clergy, Gentry—all shall obey—or they shall not be fit to live. And (is it to be believed?) these mandates—from the foul and slanderous breath of a malignant tyrant mob—are received, are furthered, are forced into execution by *the Whigs!*

Is there no generous spirit yet amongst that once proud body to break this unnatural bondage; and be free—to demand of their leaders the charter of their party, and to record in protestation the principles of their foundation? Insecurity of property, the reckless annihilation of Civil Rights, and the desecration of Religion, are not in their charter.

To them, in the moments of cool judgment, may the Conservatives appeal, and not without hope, that after their transgression they will hear a better voice “in the cool of the day, and be afraid.” Let them join the phalanx that still stands firm to the Constitution, and this detestable tyranny will be of short duration. The “will of the people” here, is not the *old* will of the people, which they would have maintained. The people of England are not “the people” of the Bill.\* The cry for the Bill might even have been ten times greater, yet

\* For who are the people of England? Certainly not the wretched, vitiated mob, which is always found, when adverse circumstances encourage the demagogue to call it forth, in those districts where vicious indulgence and bad habits render a crowded population fit fuel for the incendiary to inflame. Yet it is this description of persons to which factious orators, nay the Whig Administration of this great country, lately gave the honoured name of the *people of England*. On the contrary, the people of England are composed of all the “ranks, orders, and classes of the social community established in England, who, with their connexions and dependents, have a deep interest in the well-being of this organized system, as it is regulated by laws and ordinances, either subsisting for time immemorial, or framed by authorities constituted upon principles which have subsisted for time immemorial;”—while these tumultuous assemblies, to which the name of the people has been given, are mere excrescences,—aggregates of disaffected members,—which hang loose on society, and which, as exhibiting themselves in tumult and intimidation, are in direct hostility to the people; and in the opinion of every honest and Christian man, ought to be coerced by the *laws of the people*.

not the cry of the people, but the rabble. If so profigate a Ministry can be imagined, let there be one that shall offer to their people, from the £10. renter downward, the immediate distribution among them of the confiscated property of the Peers, the Church, and the Tories, "the Malignants." These people would be in ecstacy—they would pull down all that stood in opposition to their wills. With this ministerial offer on their banners, they would be a desperate army to aid the Government. Neither then the cry, nor the will of "the people" so taken, would be the will of England.

And has not *some* hope, *some* expectation of this nature arisen and been fed? Who can be so bold, in the face of the outrages in Bristol, to answer in the negative?

It is a glaring fact, that the ferocious rabble have been let loose upon the quiet of society; and if they have restrained their hands, it has arisen from those old habits of respect to rights and property which we owe to our Constitution, and which are not yet eradicated; or, in the hope that an Administration to whom they can dictate will give them a legal possession, they have abstained in the affected dignity of power,—or, as an orator expressed it in Queen-square, "in the dignity of moderation." England is now actually governed by the Political Unions. The Parliament of Birmingham issues edicts. There is little law, little punishment—(how long none!) Revolution is openly sought; if by intimidation, and the form of law, well; if not, by violence. And what encouragement, if we can call the inactivity, the paralyzed stupor of fear in a Government, encouragement, has been given to this feeling!

The greatest men in the kingdom, for birth, for distinguished fame, for wisdom, for integrity, have been compelled to barricade their houses, an unsightly disgrace to the eye of a Government. Their houses are not safe, their persons are attacked, the boast that an Englishman's home was his "castle" is no more, for even the castles are demolished, and where is the protection? None. The mansion of a nobleman adverse to the Bill is burnt down,—yet Ministers take no notice. The country is disgraced with outrage—they are still under the "non-intervention" compact—they dare not, or at least do not interfere. There is a general confidence in mischief. The impunities that have disgraced Ireland, have been felt, known, and demanded in England. Up to the time of the Bristol Riots, the vilest wretches travelled through the country, instigating the populace to outrage, under promise of absolute safety. Nay, it required but little art to persuade the world of this. Where was the punishment that could be pointed out in contradiction? Was it not easy to point out the honour in which agitation was held, and all that it had attained? There was more than reasonable expectation, to every man of ability to agitate, of rising above his low condition. Excitement was carried to its utmost, and the worst part of the populace of the kingdom were in the fever of Revolution. The Press, and the Demagogues, and the Political Unions, and Branch Political Unions, did their work, and well. The slanders uttered in Parliament against the Constitution, now issued through the Press, with, for the first time, the sanction of Government. The inference was plain. The laws, or Acts of Parliament that deserved not the name,

were made by unconstitutional Parliaments ;—and were they to be respected ? The Aristocratic Peers were odious Boroughmongers, and enslaved the people ;—ought they then to be endured ? The Bishops were sneered at by high authority, in Parliament assembled, and publicly denounced with the solemnity of the Seer and the Prophet ;—they must, therefore, “put their houses in order.” Magistrates were in especial danger if they dared to punish—universally so in Ireland—and there was more than a commencement of a similar system in the counties in England. Nay, Government were in friendly, and deprecatory, and complimentary correspondence with Societies that openly professed a determination, a threat, not to pay taxes—who openly defied the laws, and denounced “woe” to those who enforced one against them. In such a state of feeling, allowed by the Government, and, it might be said, produced to its extent with their full concurrence, could it be reasonably expected that the people would still respect laws—that they would have any wholesome fear before their eyes—that they would regard rights, property, or religion—that they would *obey Magistrates*—or that Magistrates would not with some justification shrink from the more strenuous exercise of their duties, in which they could see no line of safety, but the certainty of a double danger, and *no protection* ?

If the Bristol Riots had originated solely in Bristol, these remarks would have been unnecessary. But they strictly, most strictly, belong to the chain of causes. The conduct of the Government, in the excitement they created and fed, and in the general immunity to outrageous acts, was followed in admirable imitation, by

their partisans in Bristol. They became the means, by which the citizens were acted upon, from without and within. There was a large party in the kingdom determined upon Revolution, and it was agreed that the first experiment should be tried in this unfortunate city.

If the proofs that will be adduced in corroboration of this be unsatisfactory, the charge will fall to the ground ; if they are of value, they tend to throw *much* of the blame from the citizens, or at least make them but partakers in a crime which they are now supposed to have originated.

The public feeling in Bristol, up to the election in July 1830, has been shewn ; so rapidly had the evil spirit of Revolution worked, that in the election which occurred in May 1831, it was fearfully changed. It was then the Union of Trades, afterwards embodied into a Political Union, by tyrannical persecution, intimidated the freemen ; by threatened "civil" excommunication, the majority, who were *not* freemen of the city, forced those who were, to give their votes at the dictate of the Union. Shortly after this the Union of Trades became the Political Union, and with a *concealed* President and *concealed numbers*, and by audacious threatenings and assumption of secret power, created a general apprehension that paralysed the better part of the citizens.

The fact is necessary to the Narrative,—the details and all the means used would render this undertaking too extensive. It is thought therefore sufficient to shew, in a more summary way, both the excitement and the feelings up to the very outbreaking. And this purpose will be best effected by extracts from proceedings and speeches, from the date of peace and tranquillity, to the moment and immediate occasion of the Riots. Perhaps

exact order may not be always observed, but they will be taken from documents accessible to all; and the Narrator will not disgrace himself or degrade this his labour from the character he would desire it should obtain, either by garbling any account, mis-quotation, or attempting to attach a meaning either to acts or speeches, which he does not fully believe them to bear. And here let it be observed, he has little to do with the *intentions* or *motives* of parties, but with the *tendency* of their proceedings. Whether they were weak, and the dupes of others, or whether they were criminal themselves, or any of them, is not here the question; it is one in which they are now more nearly interested than the public; they may be considered as those who have paid in their "rent" and contribution, and the means they have given are no longer in their own hands, or at their own discretion.

## PART IV.

From the commencement of the Ministerial campaign, under the banners of the new coalition, there was no respite allowed. The fire of incessant agitation was kept up by the Revolutionist-Reformers' Press and Demagogues, in the previously tranquil city of Bristol.

Mr. Protheroe, one of the present Members, thus addresses the freemen by letter, previous to the last election :—

“Whether that settlement shall take place through Reform or through Revolution,—whether we shall at once reap the peaceful fruits, or be forced to win them through tempestuous agitation, will depend upon the promptness and decision with which the national will is declared.” Now this is no hasty passage thrown off in the heat of oratorical confusion, but a deliberate appeal to the people, that if they could not reap “the peaceful fruits,” they must “win them through tempestuous agitation;”—it was a deliberate stab to the Constitution, that thus set the will of the rabble, “declared with promptness and decision,” above the deliberation and decision of the Three Estates of the Realm. Had Mr. Protheroe a prophetic view of the intentions of the Revolutionists when he asked the Freemen, “Is the city of Bristol blotted from the map of England?”

On another occasion, he informs an excited multitude, that the Aristocracy are engaged in a struggle “to obtain corrupt and obnoxious power, asserting their right to

treat their dependants as slaves, without freedom of will or conduct." Of the Church he thus speaks:—

"A Church timidly clinging to venerable abuses, instead of sagaciously yielding to the fair and reasonable requirements of an enlightened and investigating era." Was it possible that Mr. Protheroe was ignorant of the exact nature of those requirements—did he not know to *what* specimens of the labours of "the investigating era," the people would consider themselves directed? They had but to refer to their local Press for information, and they would find it in the same sheet with the praises of Mr. Protheroe. He knew that the "twopenny trash" and black lists were in their hands.

At his election, without comment upon the iniquity, he tells the mobs that the Duke of Wellington had been "exposed to the hootings and execrations of the populace." He does not tell them undeservedly so; and why then should not they extend *their* hootings and execrations to the respectable *Tories* of Bristol, who had been so liberally called "robbers, and plunderers, and wicked?" It was but a natural transfer—and the minds of the Bristol populace were equal to it.

After the Bill had been rejected, and with all due constitutional form rejected—when it would have been judicious in a Member for the City to have allayed the consequent ferment, he prefers renewed agitation:—

"It is not a matter of so much importance (he says) that the voices of gentlemen should be heard, as that a demonstration should be made of the decided, unaltered, unchangeable *will of the people.* (*Cheers, and cry of "the Square."*) In the mean time, he hoped the Lords would learn a little more virtue from the people

for whom they legislate. With regard to ulterior measures, in case of the bill being again rejected, he did not contemplate the necessity of any, so confident was he that the bill would pass; but as the *subject of resisting the taxes* had been touched upon, he would say that it was their duty *at this moment* to support the King and his Ministers, and not desist from meeting and petitioning till the Bill was secured; if it should be again rejected, to that evil day they would leave the adoption of further measures." *(Cheering.)*

This is very extraordinary language from a Member of Parliament to the people. The Lords learning virtue from them!! Their *decided will*!! What if that will had been expressed not to pay taxes—the expression of which will has been declared by high legal authorities to be treasonable—what then?—he will "leave to that evil day *the adoption of further measures.*" What further measures—the refusal to pay taxes? Is this the meaning? Is this the alternative recommended from a Member of Parliament to his constituents? This is a point that required the clearest speaking, for it required reproof—there ought to have been no mistake—and *there was no mistake.* "The people" understood it well—and were they *thus* taught to respect the laws? This was indeed to kindle a flame that would reach the Custom-house and Excise, when they should come to their "further operations."

He is particularly cheered in his very gross attack on the Bishops. "*Of the Bishops he would speak in mercy,—their day was nearly gone by.*" *(Loud and continued cheers.)* But thinking this going somewhat too far, he adds the insulting explanation, "He

wished not to be misunderstood. He spoke in a different sense from what the meeting supposed. He meant that their seats would be soon supplied by men of *greater piety*, and better acquainted with the spirit of the times."

"Men of greater piety!" Their "impiety" in voting against the Bill, as the resolution of one Reform meeting termed it! Is Reform the idol of the Member for Bristol and his particular constituents? But more,—he looks forward to the day when "the Church of England would possess members worthy to be associated with *the enlightened gentlemen* who had addressed them to-day." Was it wise, in a city possessing so many Churches and Clergy, a Cathedral, Bishop's Palace, and Deanery, and Prebendal Houses, to charge the Clergy with *impiety* before the people, converting their flocks into acrimonious judges, that they were at that time unfit, unworthy to associate with the enlightened gentlemen who had addressed them? And who were they?—Dissenters and a Roman Catholic Priest! with whom, *then*, the Church was not worthy to associate; but they would, under Whig Administration, be made to associate!! Here is a source for future agitation,—and the public were ostentatiously told that Mr. Protheroe was in the confidence of the Ministers. "He would again assure them that if any obstacle should be presented to the Bill, he should call upon his constituents for their further co-operation. *The Lords had not only insulted the Commons of England, by their insane proceedings*, with regard to this bill, but they had put a stop to many other good measures." ("Down with them.") Down with them, as a matter of course, the people would cry, when they were thus said to be rather fit to be chained in Bedlam, than to sit in the House of Peers,—a con-

stituted estate of this realm. Is there nothing revolutionary in this?—and is there no separation among Mr. Protheroe's constituents,—the *old Whigs* from the new? Then, he assures the people, that when the Reform Bill shall have passed,—“The funds which had been provided for the support of the poor and needy would no longer be applied to electioneering purposes. Toryism was a ravenous bird—it had exhausted the Treasury of the State.”

Is this respectable, that the Member for the City should charge the Vestrymen of the several parishes with applying the money provided for the poor and needy to electioneering purposes? It is difficult to persuade one's self that Mr. Protheroe did not know this was, in all its bearings, a calumny; if he did *not know* it to be false, he was consummately ignorant where he ought to have been informed; and what is worse, mischievous in his ignorance. Here, however, “the people” are directed against the Tories, of whom were the most respectable of the city, as ravenous robbers of the Treasury. Should the rabble by any accident set fire to the houses of the Tories, would Mr. Protheroe's “people” put out the fires? Mr. Protheroe had given these most respectable and hitherto influential inhabitants an ill name, and reason to fear “ulterior operations.”

However extraordinary these extracts may seem, Mr. Protheroe will, in the course of this Narrative, again appear upon the Revolutionary stage, but the particular part, in which he will be found to shine, is reserved, until the Narrative reaches the immediate transactions of the Riots.

Mr. Manchee particularly directs his vehemence against Sir Charles Wetherell, and points him out as a buffoon, and slanderer of the city. Mr. Manchee is the author of a pamphlet\* on the Bristol Riots, dedicated to Lord Viscount Melbourne, which it is to be hoped the Secretary for the Home Department returned, with a just rebuke for the statements it contains and the spirit with which it is written; for *his Lordship at least* must have known that the attempt to throw odium on *one party*, Sir Charles Wetherell, was a gratuitous and malevolent slander. To an inflamed populace, he speaks “of 199 unfortunate Peers, who had thought proper to prefer their own private interests to the rights of the people? They were deserving only of pity.” He alludes to the people having been called on at Birmingham to resist payment of taxes, and gives his reproofless recommendation in perfect accordance with the view taken of that matter by the Member;—for he tells them it would be a rash proceeding, only because it would embarrass the Ministers,—not because it was treasonable,—but looks forward to the hope that if the Bill be rejected such resistance will be made legal.

W. P. Taunton, Esq. in a city having a Cathedral and resident Bishop and Clergy, thus speaks of them before an irritated multitude. “Should I show respect to a magnificent cathedral, by prohibiting the use of the brush and the shovel, lest the *vermin* should be disturbed and the *filth* removed?” This must have been delightful

\* The main object of this pamphlet appears to be, to make a desperate effort against the Corporation of Bristol. In a speech at a Reform Meeting Mr. Manchee took great pains to hold them up to public odium. “Corporations were too apt to tread people under, and it was time for them to be interfered with.” Ought such a person to have been chosen to sit on a Committee of Enquiry directed against that Body?

language to the ears of those incendiaries who afterwards endeavoured, *according to evidence*, to break into the Cathedral for the purpose of firing it, and who doubtless thought, that in burning the palace of a Bishop, even though he might be buried in the ruins, they should only be laudably employed in disturbing the *vermin* and removing the *filth*.

It is not attempted to be asserted, that Mr. Taunton had the slightest notion, that he was encouraging such proceedings ; but what does he think *now* of the effect and tendency of such speeches ? And let him pause, ere the City be again fired by the incendiary. He will well know how to apply a quotation :—“ *Aluistes ergo hoc incendium quo nunc ardetis.* ”

The inflammatory language of Mr. Matthew Bridges was indeed of a very extraordinary character, leaving on the minds of the ignorant a deep sense of injury for undefined wrongs—totally unintelligible to common sense, but not the less exciting to the unsteady passions of the ignorant. The following specimen may be sufficient :—

“ But take another alternative. Suppose nothing to be done but to return to the old regime ! that would be the hour of factious triumph—the knell of Liberty would be tolled from one shore to another—then there would be one vast uniformity over the whole surface of our affairs, but it would be like the waste of a sandy desert, or the terrific aspect of the glacier—it would be the hour when the young earthquake would be born, that was to overwhelm us—the hour when the monster of corruption would coil itself to spring upon its victim —when the magic circle of conspiracy would be wrought

in darkness—when deep would call to deep—when all would be uniformly ruinous, and the Sun of England would go down. It would be the time of pleasure, mirth, and song, as before—but in the midst of the festivity a hand would be seen writing on the wall in characters of fire—the volcano would soon burst, and the Government would explode in atoms. (*Cheers and bravo.*) Civil war would be at the door, and wailing and woe be heard, to which the cataracts of Niagara would be but whispers. Thrones, and Mitres, and Truncheons of Office, would go down into the pit together, and England, which now set one hand on the River St. Lawrence, and the other on the Ganges, would sit down in despair amidst the awful thunders of Jehovah."

It was a daring hand that painted the *original*—the design and the painting are from the genius of an infernal "Raphael," which Mr. M. Bridges has so faithfully copied and interpreted to a populace, ever prone to give implicit belief to mysterious prognostications, whatever other infidelity may possess them. Neither the profligate, the ignorant, nor the wicked are without *their credulity*. A wise plotter will often be a true prophet, and use his prophecy as no contemptible means to obtain his ends. Has "THE PROPHETIC MESSENGER," with its pernicious prophecies, and coloured plates, been thought unworthy the notice of the Attorney-General, because with men of education it would be contemptible? It is well calculated for "the People," especially those Ministerial allies of the Reform Bill, who are thus taught by "The Prophetic Messenger" that success in outrage is the will of

destiny—that the “fire,” the “volcano,” and the explosion of Government are in Fate—that Thrones, and Mitres, and Truncheons of Office should go down into the pit together. And when the time, the hour of civic “festivity” is so accurately marked—when “*in the midst of the festivity a hand-writing would be seen on the wall in characters of fire,*”—and when the “explosion,” destructive of Thrones, and Mitres, and Truncheons of Office, so accurately predicts the blowing up of the Excise and Custom-House, with barrels of spirits, the burning down of the Mansion-House of Civic Authority, and the Bishop’s Palace;—the prophecy and the interpretation so exactly agreeing with the event, must lead at least to this suspicion, that the wretched perpetrators may have gone forth with firebrands and engines of destruction in their hands, in full confidence in their success, their triumph, which destiny had decreed.

This extraordinary speech of Mr. Bridges was delivered on the 21st Jan. 1831. Let any one turn to the *Prophetic Messenger*, at that time in the windows of all the low shops, and in some others to whom the exhibition was a disgrace;—*The Prophetic Messenger* for 1831. The frontispiece is a picture, of which Mr. Bridges’s speech is as it were a description and explanation.

There is the magic circle of conspiracy—there is the City in flames—the people and the soldiery—there is the explosion—the lightning—the coiling serpent—the axe of Reform at the root of the tree—an army with the new tricolor-banner, on which is *Respublica*, and the *cheering commander*. There are three coffins, over which Death is triumphant, one containing the anchor,

the scroll of law, and the seals of office ;—the next, the book, the sword, and the helmet, and from which arises the old banner of England ;—the last of the three exhibits the mitre, the crown, and the cushion—and on this coffin is engraved “Woe to the Mighty.” On that where Death is trampling upon the scrolls and the seal—“Lo the time is come.” A hand from heaven is seen amidst the lightning exhibiting a scroll of the “year of fate.”—The concluding lines are—

Oft the funeral knell will toll,  
Oft the pealing thunder roll—

and in larger letters—

MONARCHS TREMBLE, NATIONS MOURN,  
Ocean rage and cities burn.  
Gazing with a prophet's eye,  
THUS WILL RAPHAEL READ THE SKY.

Then turn to the Predictions.

The Bristol Riots were the last three days of October. What would be the state of things in November? Turn to “the Predictions”—

“ I see a dark veil drawn—I see a throne  
Dash'd to the earth—I see a mighty blaze,  
As of a City flaming to the heavens—  
Another rises, and another throne,  
Thereon a crown'd one, God-like—but his face  
With clouds o'ershadow'd yet—ha! is it thou?  
Hark! look the countless nations shout for joy.  
I hear those voices like the multitudes  
Of ocean's tempest waves—I hear—I see !”

*Fall of Nineveh.*

“ The Sun quartiles Herschel!—woe to a great one.  
The Sun squares Jupiter!—woe to one of the church.”

These are the oracles of the monthly horoscope—

*“Death is preparing his phantom dart—soon will strike. Ye who oppress the poor and needy—who rob the widow and the fatherless—who fill the land with crimes—who are even as the outcasts of the earth in the eyes of heaven, albeit ye are arrayed in “costly raiment,” in “purple and fine linen,” and Gods as it were in your own conceit—take warning. “Lo the time is at hand. Chance can do nothing.”\**

Far be it from the Narrator of The Bristol Riots in the slightest degree to insinuate that Mr. Matthew Bridges had any hand in the fabrication of the *Prophetic Messenger* or that he was aware of any plot or plots, (which the reader may now think were pretty deeply and cunningly laid)—and which his interpretation *might* lead to and hasten. The work furnished him with a rhapsody, which, as an orator, he was proud to display, without having either meaning or intention. But in acquitting Mr. Bridges of *intention*, can the cool public acquit him of inflaming the populace, and giving them a most dangerous confidence in “ulterior measures?”

If there was no other circumstance to lead to more than suspicion of a deep-laid plot, this *Prophetic Messenger* would be alone sufficient to bring a strong conviction to the minds of those who are at all acquainted with the multifarious workings of Revolutionists.

Captain Hedges, not a citizen of Bristol, but holding a temporary military official situation under Lieutenant-Colonel Brereton, was extremely indiscreet

\* A Correspondent in *Felix Farley's Bristol Journal*, not long since, quoted Tacitus, to show that fortune reserves in secret, some one not in the contemplation of mankind. He was wittily enough replied to by a writer in the *Bristol Mercury*, “That chance could do nothing.” Had that writer too seen the *Prophetic Messenger*?

in his language to the populace. Yet this gentleman, so intemperate and unrestrained by any consideration of prudence, was subsequently *named by the Government* as Editor to Mr. Colburn's *Court Journal*, and was permitted to receive his information from official sources. Is the following language, addressed to a tumultuous mob, justifiable in a soldier?—

“Moderation was recommended to them (the people); but he maintained that the loudest and strongest language should be used; their infatuated opponents were not to be moved with *reasoning*; *fear alone would operate with them*.” He boasts of “a black dose for Sir Chas. Wetherell and his brother Aldermen to swallow, yet take it he must.” That the people “had a great battle to fight,—if they should find the struggle going hard with them, if he were an hundred miles off, though he had no vote, he would come and throw himself among them.” That he would “shed the last drop of his blood.” After the Reform Bill had been rejected, he again addresses the mobs:—“He had heard them (the people) traduced and belied night after night, in the two Houses of Parliament.” \* \* \*

“If a Tory Administration had gained the ascendency, would they have been allowed to express their sentiments freely on that day? No, they would have had cannons planted at the several avenues of the Square,” (this speech likewise was in Queen-square, the scene of subsequent devastation,) “and soldiers drawn up to overawe them; though, thank God, the Tories had not much of the army, for a majority of them clearly saw that their interests lay with the King and the people. (*Cheers.*) He did not think the King *would*

*dare* to place the Duke of Wellington at the head of his Adminstration. If ever that day should arrive, no power on earth should prevent him from using his own discretion for the protection of his person and property." It must be here stated, that the words "*would dare*" are denied by Captain Hodges; but the reporter has referred the public to his original document taken on the spot, and has offered to make oath to its accuracy.

For what purpose a military gentleman, acknowledged at the War Office, who had been in official duty in the city, should promise to throw himself among them, and shed the last drop of his blood—or, why he should slander the army by pretty plainly intimating that they would not fight under a Tory Adminstration,—are questions to be asked elsewhere. But no one can for a moment doubt the *tendency* of such language.

The Bristol Political Union took its commencement from the "Union of Trades," at the Election in May, 1831. Shortly after this it was constituted a Political Union—for which purpose a meeting was held. The speeches on that occasion were in perfect accordance with those of similar meetings throughout the kingdom, clearly proving that not "the Bill" only, but ulterior measures, were the objects for which these Unions are formed, and offering a fearful motive to action to an inflamed populace. A Mr. Powell remarks that—

"Our principal efforts ought to be against *Corporation abuses*. He said that the Corporation of Bristol received annually £40,000, though only £20,000 was given in to the Commissioners of Enquiry."

Mr. Ham, in proposing a Resolution, said—

"In India were Brahmins. \* \* \* The priests,

who generally took care of all the good things of this life—*(laughter.)* Separate orders or castes existed also in England, and were kept up with as much pertinacity. In England the titled class would not associate with the untitled, nor the man of £1,000 a-year with the man of £900. This was occasioned by the law of primogeniture. In France the case was different; there a Marquis might enter a coffee-house, where he might be joined by a mechanic, who sat at the same table with him, and they would play a game of dominos together, the man of title not considering it any degradation. *(Applause.)* Such, he hoped, would be the result of the Reform Bill, *when time had enabled us to adopt similar measures in this country.* *(Great cheering.)* In this country the Aristocracy were not contented with civility from their servants, but expected servility. *(Cheers.)* In America the affair was managed much better—a servant there would not allow himself to be called your servant, but your *help.*\* *(Cheers.)* The tree of liberty had been planted in France, *but it had not yet been watered.*"

At a meeting of the Political Union, held in consequence of the rejection of the Bill, Mr. Herapath remarks—

"Another had urged that the Bill went too far, and he (Mr. H.) was prepared to admit, that in one sense the Bill did go too far—it went too far for the Peers, but not for the people. The Bill went too far for the Lords, because it would prevent some from 'doing what they would with their own,'—because it would

\* The French seem to be fond of acting this "high life below stairs," in their nervous irritability at being called "subjects."

deprive the Upper House of the £300,000 it swallowed in pensions." "He did not regret the conduct of the Lords, for the longer Reform was delayed, the *more* would the people *demand* from them—the *more* they would ensure. There was an old adage, *punishment deferred falls the heavier; and perhaps the Lords might ultimately bear witness to its truth.* He ascribed many of the evils which afflicted this country to the law of primogeniture." "The Spiritual Lords might have carried the Bill, but they chose rather to turn upon the people who supported them." "They had now invited their fellow-citizens to *deliberate* upon the rejection of the Bill by the Lords—to give them the earliest opportunity of expressing their wishes upon the subject, and to enable them to take such measures as seemed necessary for their future protection."

One of the Resolutions was—

"That Birmingham, being most centrically situated, it is recommended by the Bristol General Union, that the Birmingham Political Union be requested immediately to call a meeting of Delegates from other Unions, to deliberate on *the best means of general organization and simultaneous action.*"

There was a time when all this would have been looked upon as wretched trash, the ravings of madmen, and, however treasonable to the Constitution, innocuous. But it is not so now. This is the sort of trash that comes forth now with the sanction of Ministers. Such persons are their allies and supporters, or governors. The New Coalition has given the stamp of Government to edicts of this character. The names of the King and Ministers are used to cover schemes and doctrines that

tend directly to overthrow the Monarchy, and all that attaches to it. It has let loose bands of robbers and revolutionists, under every presumption of *impunity*. It has been the *first movement* to the Bristol Riots.

Pages might be multiplied without end in the exposure of passages and conduct similar to the specimens above given. But it is not necessary to enter more largely into the disgusting detail.\* Enough has been set down to shew the nature of the agitation used—the change of public feeling in the short space of nine months, and the subsequent pains to make this new feeling both active and permanent. A state of things has been produced that never could have existed, but through and with the unnatural coalition of a Government with the lawless and disaffected.

Thus the infidelity of the Ministers to their old Constitutional principles infected their adherents, the Whigs, in Bristol; and though the most respectable and reflecting of that party lent but a cold approbation to the violent proceedings, their very abstinence from taking a leading part left the field of agitation the more entirely at the command of the abettors of “ulterior measures.” The London and the local Press working together, left no hope, bad feelings being once brought into action, for the junction of the moderate.

\* The Narrator cannot forbear here quoting from the speech of an Orator, and of some note, delivered in the Parliament House just after the rejection of the Bill by the House of Lords, in October, the very month of the Riots. He is drawing a comparison between the present state of things and that period—“when the villains were driven to revolt by oppression—when the Castles of the Nobility were burned to the ground—when the warehouses of London were pillaged, and an hundred thousand men, (the boasted number of insulted Reformers in Bristol), appeared in arms at Blackheath.” This passage in the speech of the Hon. and Learned Member, may have been of some importance at Bristol, of which he is *by birth a Freeman*.”

The work went on, until at last the city became, in distraction of opinion, turbulence, discontent, insult to authority, and daring defiance, a very Pandemonium of Reformers. Yet, even in this state, when certain danger was an attendant on duty, the friends of order and good government did not shrink from the peril, but met for the purpose of expressing their loyalty and attachment to their Sovereign and the Constitution. For this conduct the grossest insults were offered to them, and infamous hand-bills were circulated, lest the known respectability of the parties should have any influence to prevent the Riots now determined on.



## PART V.

Supposing the existence of a Revolutionary Party, preparing or prepared for the worst—for “ulterior measures”—it would be difficult to conceive a more favourable opportunity for the trial of their predetermined operations than that which presented itself on the 29th October, 1831, the day appointed for the opening the Commission of Assize in the City of Bristol. The Gaol contained upwards of 100 prisoners. By Charter this Court must be held by the Recorder, and this Recorder was Sir Charles Wetherell, the most unflinching of the Anti-Reform Champions. Supposing then such a conspiracy in action, would not advantage be taken of this circumstance, seeing the City the scene of so much violence and distraction, perhaps much of it produced with this design? Would not such a conspiracy act precisely as it is found a party somewhere or other sitting, did act? Sir Charles Wetherell was the object of daily abuse in placards on walls and in newspapers. The country was scoured for thirty miles round, and *fit* persons exhorted to be in Bristol on the 29th October. The numerous Depositaries of infidel and treasonable tracts sent forth their poison in every shape, printed on paper and on pocket handkerchiefs. The lowest Radical swaggerers and brawlers, the “prowling ballad-singers” were everywhere stirring the thieves and pickpockets to their work, and the populace to deeds of bloody mischief.

The Magistrates, aware of unusual excitement and danger, send a deputation to Sir Chas. Wetherell and to Lord Melbourne. It having been determined that the Commission should be held as usual, the Magistrates lay before that Minister the perilous state of the city, and throw themselves on the Government for protection, as well for the peace of the city, as for the safe conduct of the King's Judge. Upon this Lord Melbourne requests the attendance of the Members for the city at his office. The result may be best known by Mr. Protheroe's own account of the meeting, in a letter written by him to Mr. Herapath, Vice-President of the Political Union :

“Sir,—On Thursday night I received a note from “Lord Melbourne to wait upon his Lordship, as did my “colleague, Mr. Baillie. *I had bets that the subject related to the Cholera or Wetherell.* I found a “deputation in the room for military to protect the city “from riot, and Wetherell from attack. *I argued against the policy of the proposal,* and stated, that if “we could be secured from thieves and adventurers “from other places, *I could, with the aid of friends* “(the Union) keep all in perfect order ! I offered my “services to attend Wetherell, and to do all this, pro-“vided I might be allowed to enable the people of “Bristol, thus constrained, to express in some measure “their strong and unalterable disapprobation of Sir “Charles Wetherell's political conduct, that we might “be all insured from the insidious conduct of the Tories, “*who, if the people are quiet, would say there is re-action against the Bill.*”\*

Can it be possible that Lord Melbourne received such a proposal without reproof ! The King's Secretary for

\* Mr. Manchee, in his Pamphlet, admits that Mr. Protheroe did insist that the people should be allowed to express their opinion in every legal and constitutional way, in order that Sir Charles might have no pretext for again misrepresenting their sentiments on the subject of Reform.

the Home Department receive proposals to stipulate with him, for insult to the King's Judge!! Yet Mr. Protheroe boldly tells his tale, as if he had done some fine thing, and treats so astonishing a proposal with lightness, intermixing in his official account to the Vice-President of the Union, his "bets on the cholera or Wetherell!" Can this be a Member for the second city in his Majesty's dominions, returned to Parliament to protect the interests and rights of the citizens, and maintain the honour and dignity of the empire? He gives his orders to the Union—"if the people are quiet"—and indeed care is taken that they shall *not* be quiet. He would in truth have been proud to ride in the carriage with the King's Judge, for whose insult he had stipulated with the Minister; but in his Reforming zeal for insult, did it not occur, that Sir Charles Wetherell, the representative of his Majesty, and proceeding to his solemn office of administering the laws of the land, would not be very ambitious to ride in the carriage with *him*—especially when acquainted with the stipulations? How would the Judge have received *him*, when assured that he had stepped into the carriage to ride with him, for the double purpose of seeing him *properly* insulted, to note at the same time the hisses, and hootings, and execrations, as another *official document* for the Political Union, and to protect his person?

Protect his person!! Is it possible that vanity and arrogance can reach to that!! Yet there is his own written word for it. It cannot be believed that Lord Melbourne, at least an English gentleman, whatever others may have wished, desired Sir Charles should be

insulted. It has certainly been thought that Ministers, as a body, were desirous that *this mark* of the people should be put upon Anti-reforming sentiments—and, indeed, their subsequent conduct, in passing over unmentioned the personal attack on the King's Judge in their celebrated Proclamation,\* simply including him among divers persons, gives too much colour of truth to the suspicion. But to proceed in the Narrative. What, is the immediate effect of this letter of Mr. Protheroe's? It produced the following letter from Mr. Herapath to Alderman Daniel, who, it seems, had conversed with him on preserving the peace:—

“October 26, 1831.

“Respected Sir,—When the conversation occurred “between us on Saturday, respecting the entrance of “Sir C. Wetherell, I was not aware of the intention of “the City Authorities to employ an armed force for the “protection of a Judge of the land—a course unprece-“dented, I believe, in English history. It has pro-“duced effects upon the Council of the Union which “the Magistrates alone must be answerable for. How-“ever, I feel confident that no member of the Union “will be found committing outrages on that day.

“I am, Sir, &c.

“W. HERAPATH.”

The effect of this letter may likewise be seen in the following handbill, issued from the *Council* of the Political Union:—

“The Council of the Union have heard with feelings “of surprise, that the Corporation have requested and “obtained the assistance of armed troops, for the pur-“pose of conducting Sir Charles Wetherell, in his “judicial capacity, into this city. It is the opinion of “this Council, that if the Magistracy of the City feel

\* See Appendix.

“themselves incompetent to preserve the public peace “without being supported by the Military, they should “resign their offices, and suffer the Civic Authorities “to be elected by a majority of the votes of their fellow-“citizens. The Council think that a man clothed in “robes of Magistracy ought never to be a politician, as “such a Magistrate cannot be expected to possess the “public confidence, without which he will always be “found incompetent to preserve the public peace. “They would, therefore, recommend to the Corpora-“tion the immediate resignation of Sir Chas. Wetherell “as Recorder, such being the means best calculated to “prevent riot, and perhaps bloodshed. At the same “time the Council earnestly recommend Members of “the Union, and Reformers in general, at all times of “popular excitement, to use their most strenuous “endeavours for the preservation of the public peace, “as it is only by such a course they will be able to “obtain the rights they seek.

“By order of the Council,

“J. P. VEN, Secretary.”

“October 25th, 1831.”

Did this likewise obtain the sanction of the Member for the City? Has he disavowed any connexion, after such a document, with the Council of the Union; or has he published one word of reproof or remonstrance? Surely these are questions the Citizens are deeply interested in asking—the more especially since Political Unions have been declared illegal.

While the Magistrates were thus appealing to Government, who were now bound on their own responsibility to protect by a *sufficient* force the important city thus threatened, a very praiseworthy effort was made by Lieut. Claxton, R.N., and some Captains of Vessels in the Port, to form the Seamen, at all times in Bristol a remarkably well-behaved body of men, into a protecting force. A Requisition is made

to the Mayor for that purpose,\* and a meeting is accordingly held on board the ships the Earl of Liverpool and Charles,† on Tuesday, the 18th October.

Handbills of the meeting had been issued among the sailors only at nine o'clock in the morning. About half-past one the ship Charles contained about 300 seamen. Mr. Claxton was voted in the chair. He stated the laudable object of those who had called them together—"That information had been received that Bristol was full of pickpockets, trampers, and vagabonds, who would take every opportunity to interrupt the administration of justice, and that a great moral effect would be produced, if the Seamen of the Port would enter into a resolution to support the Magistrates." But here there is every possible interruption from Mr. John Wesley Hall, one of the Political Union, and a Radical Party, who had forced themselves into the vessels; the consequence of which is the breaking up of the meeting. After this the following handbill is circulated:—

*"Bristol Sailors' Meeting."*

"At a Meeting of the Seamen, held this day, on board the Earl of Liverpool, Capt. Claxton, who was

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\* The following is a copy of the notice:—

*"To the Right Worshipful the Mayor.*

*"Bristol, October 17th, 1851.*

"We the undersigned being anxious, in these times of danger and difficulty, to express our loyalty, together with that of our fellow-seamen of this port, to our friend, our father, our fellow-sailor, King William, request you will grant us permission to hold a Meeting for that purpose.

[Signed by twenty-one Masters of Vessels.]

"A Deputation from the above having waited upon his Worship, and he having most graciously granted their wishes, a Meeting will accordingly be held on board the ship Earl of Liverpool, at One o'clock precisely, on Tuesday, 18th inst.

† The Ship Charles lay alongside of the Earl of Liverpool.

“ the self-elected Chairman, and who brought the only  
“ Resolution to be proposed in his pocket, on reading  
“ of which some of the by-standers remonstrated with  
“ him on the impropriety of such proceedings, when  
“ Mr. Claxton thought proper to dissolve the meeting ;  
“ and, on further remonstrance, informed them that the  
“ ship where the meeting was held belonged to him,  
“ and imperatively *ordered* every person to leave the  
“ deck. On the persons *who composed the meeting*,  
“ reaching the shore, a temporary hustings was imme-  
“ diately erected, and John Wesley Hall, Esq.  
“ unanimously called to the chair; when the following  
“ Resolution, moved by Mr. J. G. Powell, and seconded  
“ by Mr. Webb, was unanimously carried :—

“ That the Sailors of this Port, on the present occa-  
“ sion, earnestly express their decided and loyal attach-  
“ ment to his Majesty and his Government, but will  
“ not allow themselves to be made a cat’s paw of by the  
“ Corporation, or their paid Agents.

“ J. W. HALL, Chairman.

“ Mr. J. W. Hall having vacated the Chair, it was  
“ immediately taken by Mr. J. G. Powell, Jun., when  
“ a vote of thanks to the Chairman was carried with  
“ three times three cheers.—Full particulars of the  
“ meeting will appear in the *Bristol Liberal* of Satur-  
“ day next.—October 18, 1831.”

If it be asked what object Mr. Hall and his party had in view, in interrupting a meeting held solely for the purpose of preserving the peace of the city, and assisting the Magistrates, the answer must be sought in the result. Is there not indeed just cause for suspicion that the “magic circle of conspiracy” was pretty widely drawn?

It has been seen that the Magistrates were thwarted by the Member—were required to abdicate, and were threatened by the Political Union—and now again, how another attempt to strengthen their authority was frustrated.



## PART VI.

It has not been yet stated what force the Government provided in this exigency. In a city so large, and (as the author of the Pamphlet dedicated to Lord Melbourne, assures us) containing "an insulted population of *an hundred thousand*," with places, the sure object of attack to all mobs, widely distant;—in a city where it has been shown the Magistracy were held up to odium, so as to render even self-defence a difficulty, to say little of the subversion of their authority, it would be presumed the Government would now send such a force as should ensure safety. Lyons received a force of 30,000 men? *Ninety-three* soldiers were thought sufficient for Bristol, "to keep down," as the author of the Pamphlet observes, "an insulted population of *an hundred thousand*"—but he forgot the insult stipulated for by the Member—which it is presumed, therefore, the soldiers were to allow—especially "the people having made up their minds," and proclaimed (their intentions) at the corner of every street! Two troops, then, of the 14th Dragoons were quartered at Clifton, and *one troop* of the 3rd Dragoon Guards at Keynsham—the latter place 5 miles distant—altogether 93 men—with unusual cautionary orders, not to be used but on the greatest emergency.\*

\* It presents a singular inconsistency, that subsequently, during the trials under the Special Commission, when there was, comparatively speaking, little excitement, and nearly 4000 constables turned out,—about 450 infantry, 250 cavalry, and a squadron of artillery, were sent, having Gen. Sir Robt. Jackson to command them!

The handbill from the Council of the Union demanding of the Magistrates to resign their offices, was issued on the 25th Oct. Very extraordinary proceedings had taken place. The Bishop of Bath and Wells with difficulty escaped the grasp of an infuriate mob, while performing his sacred office of consecrating a Church in the Coronation-road, in the parish of Bedminster. This was no *sudden* burst of enmity against the Bishop, but predetermined, arranged, and promulgated at considerable cost of placards. It is curious to enquire whence the funds came. Did the Union pay the charges? Did Mr. Hall, or the other Reformers, who frustrated Mr. Claxton's endeavours to protect the city? The Narrator has now before him one of these placards, with the printer's name of course torn off—it runs as follows, and is in very large letters:—

“REFORMERS—

“‘ *Read, mark, learn, and inwardly digest.*’

“The Right Rev. Father in God, the Bishop of Bath and Wells, will consecrate the New Church, Coronation-road, on Monday, the 24th of October. Receive him with every demonstration of respect that becomes his *exalted rank and late vote in the House of Lords.* Refrain, therefore, from hooting, pelting, groaning, hissing, or any annoyance that may be offensive to the man who has so recently declared himself against the voice of the PEOPLE.

“CHURCHMAN.”

The Sabbath was employed in preparing the outrage against the Bishop to commence on the Monday. A watchman in the parish of All Saint's, detected one person, Isaac N. Pearce, Printer, of Bath-street, muffled

up, and posting the bills.\* This attack on the Bishop of Bath and Wells was probably intended to serve a double purpose; in the first place as an outrage on a Dignitary of the Church—one of a body who had been advised to “set their houses in order;” and secondly, as a demonstration for the guidance of persons elsewhere, who were engaged to take part in “ulterior measures.”

Some time before the Bishop arrived at the church on Monday morning, most of the leading men of the Union and a mob had assembled. Christopher Davis (who was afterwards executed directly opposite the new church,) was extremely active in exciting the mob, by inflammatory language: he stated that the Bishop received £40,000 a-year out of the pockets of the poor, and was come there that day for the sake of the subscription, to which they must not contribute. When the Bishop drove up at half-past ten, he was received with yells, groans, and hisses; and had it not been for the judicious arrangements of the Churchwardens and others, it is very probable his Lordship would have been personally injured, and

\* The watchman afterwards pulled down one of the placards and gave it to the night constable. An information was laid against Pearce, for publishing the bill without the printer's name, and the placard was placed in the hands of one of the City Solicitors, at the Council-House, who deposited it in the volume containing the Act of Parliament affecting the case. On the day of hearing, the placard was not to be found, and no proceedings could be then taken. Subsequently, another of the placards was procured, which had been given to Fisher, the night constable in Redcliff Ward, by Pearce, while the latter was engaged in posting up other copies, but in consequence of the information having been laid by Fisher, his evidence could not be received on the second hearing, when Pearce was in attendance with Counsel and Attorney; and as the first marked copy of the placard had never been recovered, the informations were quashed.

perhaps murdered. On the Bishop's return, after the ceremony, a party of gentlemen guarded him to his carriage, on each side of which were arrayed a strong body: the mob, therefore, were again foiled in their attempt upon his person. The post-boys drove off at full gallop, and although a great number of stones were thrown, no serious mischief was done. The mob followed the carriage to the Vicarage opposite Redcliff Church, but as it only stopped there a moment, they returned to Harford's-bridge, where they were addressed in the most violent and seditious language.

If the Union were desirous of preserving the peace of the city, would it be credited that they should have published the handbill from the Council of the Union, above given, on the day following this outrageous attempt on the Bishop of Bath and Wells. The life of the Bishop is put in jeopardy on the 24th,—on the 25th the Council of the Union express surprise that the Corporation had required the assistance of armed troops, and demand of them to resign their authority into hands to be chosen by the majority of the citizens. Was this intended to give something like the sanction of authority to a “Provisional Government?” In what character are we to view The Council; the name is well chosen to impose upon the mobs, and induce them to acquiesce in their “ulterior measures.” They speak of “bloodshed” as of a thing determined upon, with no abhorrence,—of crimes against the laws of God and man, but as “against the cause of Reform.” And what does Mr. Herapath in his letter, dated 26th, above quoted, to Mr. Daniel, *subsequent to the attack on the Bishop*, mean by “effects upon the Council of the Union which the

*Magistrates alone must be answerable for?*" Did this Provisional Government of the Council intend to set up its Reign of Terror? They were either to be energetic in mischief, or reckless of any ruin—nay, reckless (for it was in their contemplation) of bloodshed. And how well affected is the stale hypocritical recommendation of remaining quiet, when they were goading the populace! "Seek peace and ensue it," is a rule not in their new code.

Do the Magistrates, thus thwarted, insulted, threatened, remain inert? If they have hitherto, up to this point of menaced "bloodshed," done their duty, more especially by application to Government,—(for had they not so applied for military force, how loud would have been the charges against them),—do they still proceed to use every means in their power to preserve the peace? It is necessary, again, here to repeat, they are no political party—they are not a body of Tories—are not all Anti-Reformers—they *never*, even at an election, issued any political notice or document whatever—never acted in that odious capacity of political Union, so detestable in all but Mr. Herapath and his party. The Magistrates, in prosecution of their duty, endeavour to procure the voluntary aid of the citizens—apply to the parishes for the enrolment of 300 respectable housekeepers, which, with the Constables of the several Wards, they deem a sufficient escort, but on the day of swearing in, only about 200 attend. The Magistrates determine to supply the deficiency by employing respectable men, and the Chiefs of the Wards are directed to return a certain number of fit persons to act as Special Constables. These were sworn in.

That the Magistrates failed in obtaining the full number of volunteers, is at once the triumph and eternal disgrace of the Reformers. As it has been so malignantly urged against them, it may be as well to bestow a few words upon this defection of the citizens, that the disgrace may attach to the right quarter.

“Upon application to the inhabitants of the several wards,” says the author of the Pamphlet, dedicated to Lord Viscount Melbourne, “their returns were insufficient for the number required, which was immediately supplied by engaging hired constables for the purpose; the whole, with the Sheriffs’ officers, amounted to about three hundred men!! Three hundred out of our immense population!! Did the Magistrates ever enquire the reason why the respectable householders refused to be sworn in as special constables?” Certainly not—they had no occasion to enquire. The Reformers had taken care to poison the minds of “*the respectable citizens* ;” and as they succeeded in preventing Lieut. Claxton from embodying the Sailors of the Port, so had they taken under their control the inhabitants of the city. The citizens *were deluded*. Had the orators and the press been at work for nothing? The success had been too apparent. But were even these hired constables approved? The Editor of the *Bristol Mercury*, the favourite paper of the Author of the Pamphlet, calls them in his rage, “hireling bludgeon men and Tories,” by which bold lie he might likewise cast an additional odium on the Tories. But malignity will often overstep its bounds, and in its blind rage wound only itself. Proud of his ratiocination, which, like the tail of the scorpion when the flames are around him, stings the possessor to death,

the Author is impotent but against himself, and defends where he would wound. For if the fact be that the Magistrates (from the virulence of Reform agitation) were *unable* to procure a competent number, their inability must remove all blame. The same author speaks of "an insulted population of an hundred thousand" to be kept down; and in a subsequent part of his Pamphlet says, "this series of awful calamities were committed by a mob which was never in possession of any arms, and which if it had been opposed by judgment and decision, by a very small organized force, had no moral or combined physical means of resistance." If he be here correct, the preparation of the Magistrates must have been ample. If he chuse his former statement, it is an insult to Lord Melbourne, to whom he dedicates his labours, that *he* did not provide more than the small military force "to keep down an insulted population of an hundred thousand." But his malignant blunders go beyond this—for instead of "a mob which was never in possession of any arms," he afterwards admits they had "sledge hammers," and that a soldier was wounded by a "pistol ball."

He proves the *necessity of a small force alone*, when he would make it a heinous crime against the Magistrates that they did not supply a large one; and with wonderful convertibility, turns the mob consisting of but a few wretches, into an hundred thousand—and all insulted! Would he wish to disguise the fact, that there was a combined physical force, lest suspicion should fasten the crime of the *combination* on the *low* Reformers, (for amongst them we trust and believe there is a great distinction to be drawn.) If however it be an argument in

defence of the Reformers, let it defend the Magistrates. But they seek no such defence ;—they know *now* that there was a revolutionary combination, that the experiment was tried in Bristol and failed ;—the Reformers know it, and are maddened by the knowledge of the fact,—and in their rage at the defeat and disgrace, the result of the Riots brought upon their Delusion Bill, attack indiscriminately Magistrates and Tories, friends or foes—and blinded by a desperate passion, rush tumbling over each other into the midst of the ruins, under which they would fain crush all that is good and respectable of this once eminently loyal city. How long will the citizens allow themselves to be thus deluded ?

The Union threatens the Magistracy. How is the menace put in operation by the people. Persons respectable in rank, much above the £10. renters, employed their evenings in going round to the public houses and beer shops, to excite whom they could find to insult the Recorder ; and where the Reform question did not take, they resorted to the old trick, and urged that Sir C. Wetherell had stated that six shillings per week was sufficient for a labouring man and family. When such pains were taken, it need not be asked why the Authorities did not call out the posse comitatus. For some days the streets had now been filled with idle fellows, apparently, by their dress, not of the neighbourhood of Bristol. A gentleman coming up from Somersetshire fell in with two North Country Delegates, and overheard their proceedings,\* and learned they had

\* Birmingham men had been to the Dorset Election, and commenced the process of Revolutionary attack against persons and property. Thence they came to Bristol, and had probably been here before.

been visiting all the populous districts, and urging the people to be in Bristol on the 29th October.\* On Thursday and Friday a large number of letters came from the North for persons at the beer houses. Much information of this kind having reached the Council House, (not the *Union*) the Authorities issued the following :—

“ Council House, Bristol, 27th Oct. 1831.

“ It being apprehended, from information received through various channels, that some indiscreet persons may be inclined to promote feelings of irritation and excitement on the arrival of the Recorder in this city, the Mayor and Aldermen most earnestly hope that all classes of their fellow citizens, however they may differ on political subjects, will see the propriety of cordially co-operating to maintain peace and good order; and that they will abstain from manifesting any declaration of their opinions on so solemn and important an occasion as the delivery of his Majesty's Gaol, in cases affecting the lives of the persons to be tried for offences against the laws of their country. The Magistrates confidently trust that they may rely on the good sense and discretion of the inhabitants not to depart from that orderly conduct which has hitherto prevailed in the city; but should any disposition be shown, tending to create disturbance, they feel it will become their imperative duty to use all lawful means for the apprehending and bringing to punishment all persons who may be found committing any breach of the peace, or other illegal act.

“ By Order of the Mayor and Aldermen,

“ LUDLOW, Town-Clerk.”

\* They accordingly came, for it appeared that the old inhabitants knew few, if any, in the mob.



## PART VII.

EVENTS OF SATURDAY—THE FIRST OF THE  
“THREE DAYS.”

On the morning of the 29th October, that no irritation might arise from the display of the military, (which, though the stipulation on which they were sent, according to the new system of extreme deference to mobs, may be pronounced, from the experience of the Bristol Riots, a very hazardous doctrine), the troops marched, the 3rd Dragoon Guards into the Court Yard of the Gaol, and the 14th Dragoons to the interior of the Cattle Market, by the outskirts of the city, and there remained out of sight. Indeed, had not the Political Union been particularly careful, by their pretended remonstrances, to announce to the people that troops had been sent to preserve the peace, the fact would have been but little known.\* Early in the morning, likewise, the numerous constabulary force assembled in the area of the Exchange, each man provided with a short staff. The Mayor and Magistrates attended, and the force was addressed by the Mayor, recommending that they should use the greatest possible forbearance, and not by any over-exertion endanger the peace of the

\* Great complaint has been made that the troops were paraded; but they were not. Yet perhaps they *ought* to have been paraded. If the 3rd Dragoons were paraded on *Sunday*, it was not until the Gaol was attacked.

procession, or by endeavouring to take prisoners, their object being by every means to convey the Recorder safely.

They then proceeded to meet Sir Charles Wetherell at Totterdown-hill, about a quarter of a mile distant from the city. Here nothing could have been more judicious than the arrangement of the Constables, by the Under-Sheriff, Mr. Hare. The mob had taken possession of the high banks on each side of the road, but were driven off. Notwithstanding the change of the usual hour, the streets were crowded with people, thronging towards the Bath road, many of them evidently ripe for mischief. Not a few of them were women of abandoned character, whose violent language seemed well fitted to urge on the mob to desperation. Two of the Magistrates left the Council House between nine and ten o'clock, and proceeded to Temple-street, to be in readiness to interpose their authority, in case any outrage should be attempted on the person of the Recorder.

About half-past ten, Sir Charles was perceived to approach, at a rapid rate, in a chariot drawn by four greys, and on stopping at Totterdown, near the entrance into the city, for the purpose of being handed into the Sheriff's carriage, he was instantly assailed by the most deafening yells, groans, and hisses. The constables were then, in considerable numbers, placed around the carriage, a gentleman on horseback riding close by the side of each door, and two or three hundred preceding and following.\* In this manner the cavalcade, which comprised also the usual number of Mayor's and

\* Sir Charles anxiously enquired the temper of the mob, and was assured that there was not the smallest danger, that his reception would be stormy, but that it would be undoubtedly safe.

Sheriffs' officers, mounted, proceeded slowly towards the city. Just as Sir Charles was passing over Hill's Bridge, his carriage was assailed with stones; but no movement took place with a view to apprehend the offenders, the whole force being anxious only for the protection of the Recorder's person. As the procession moved onward, the crowd continued to increase, and the expressions of disapprobation from the multitude became more and more deafening; and occasionally some stone or missile was hurled against the immediate object of their vengeance. In Temple-street, the windows of the houses were crowded with spectators, and the lower order of females were particularly vociferous in the expression of their feelings, frequently charging the men with cowardice and a want of spirit. In passing from Bristol Bridge to High-street, one of the constables, a respectable tradesman, received a dangerous contusion in the head; and, in the latter street, also, some few stones were thrown.

On arriving at the Guildhall, in Broad-street, it was with the greatest difficulty that Sir Charles could alight, from the pressure of the immense multitude; but, after the lapse of a few minutes, he was handed out in safety, and proceeded to take his station on the bench. The doors of the hall were thrown open to the populace, and in a few minutes the area was completely filled.

The usual forms for opening the commission commenced, but the noise and confusion occasioned considerable interruption. Mr. Sergeant Ludlow, Town Clerk, then rose and observed, that he believed there was not an individual present who had come there for the purpose of insulting the commission of the King: that, with respect to Reform—(Here some cheering was raised, mixed with yells and groans; during which Sir Charles

touched the Town-Clerk's arm, and from his manner, for it was impossible to hear a word he said, manifested displeasure at the introduction of the subject.)—The Town-Clerk then resumed, merely adding, that with respect to that question (Reform) it had nothing to do with the proceedings of the day.

The reading of the commission was then proceeded with, but the confusion again became so uproarious, as to render the voice of Mr. Brice, Clerk of the Arraigns, perfectly inaudible.

The Recorder then, addressing one of the officers, said, if the latter saw any person in court making a disturbance and would bring him forward, he would immediately commit him. The only effect of this notice was to raise, if possible, a louder clamour than that which it was intended to suppress; on this fresh ebullition of feeling partially subsiding, the Recorder repeated his instructions to the officer, who replied by saying that the tumult arose chiefly from a few individuals, and suggested the propriety of some constables being sent into the body of the hall. Several of the special constables then disposed themselves among the people, but the attempt to preserve order was unavailing.

In the midst of this manifestation of mob feeling, the usual preliminaries were gone through, and the Court adjourned to Monday morning. The Recorder then withdrew, and the mob, after giving *three cheers for the King*, hastened into the street.

Some considerable time elapsed before the Recorder entered his carriage for the purpose of being conveyed to the Mansion-house. During the interval, Broad-street, and, indeed, the whole line of the route, was occupied by a dense mass of the populace. Beyond the mere

vocal expression of their feelings, however, there was nothing in their conduct, at this period, calculated to excite much alarm. On Sir Charles's re-appearance, he was greeted with a repetition of the same conduct that had before been so liberally directed towards him, which continued during his progress to the Mansion-house, with the exception that opposite the Commercial-rooms he was cheered. The *cortege* was accompanied through the town by a great crowd of people, who were in immediate contact with the carriage and the constables. In the mean time numbers had availed themselves of the opportunity of reaching Queen-square by various short cuts, while the cavalcade proceeded along the Quay.

Here the mob had brought a pair of trucks on which they had placed a large box—and when the Mayor's carriage was turning along the Quay at the bottom of Clare-street, an attempt was made to run the trucks against the carriage and tipping the box under the wheels to upset it. The scheme failed. The stopping of the Sheriffs' carriage at the door of the Mansion-house, necessarily halted the others, when about half-a-dozen stones were flung at the Mayor's carriage, in which were his Worship and Sir Charles Wetherell, and a crash of glass (one of the lamps, the windows being down) announced that they had taken effect. The carriage soon drew up to the door, and Sir Charles entered the Mansion-house without further molestation.

At this time the crowd about the Mansion-house amounted to two or three thousand people; and the renewal of the disposition to riot was first exhibited by a few sticks and stones being thrown at the Mansion-

house. Upon the apprehension of one of the offenders, the mob, who at this time were unarmed, raised a cry of "To the Back," where piles of faggots are usually kept, and in a short time about 600 men returned, armed with sticks, and gave fight to the constables. The mob were however routed, and the constables proceeded back in triumph, with bundles of sticks which had been captured in the affray, or dropped in the flight. Several running skirmishes took place occasionally in different parts of the Square, and many persons received severe bruises. One of the constables was actually chased into the **Float**, from whence he was taken up by a boatman. One man had his skull fractured, and was carried off. After some time the constables retired within the **Mansion-house**, and at half-past two o'clock comparative order was restored. The mob, however, did not disperse; but in consequence of what appeared a restoration of order, many of the constables, fatigued with their exertions, retired to procure refreshments.

It is with regret the Narrator is compelled to state, that during these disgraceful proceedings, numerous respectably dressed persons, who were walking in the Square, took no notice of the conduct of the mob; but if a constable struck any of the mob, they cried "it is a shame—a pack of **Tory** constables and bludgeon men." Several of the rioters, who had been during the morning taken at the **Mansion-house**,\* were, about three o'clock, sent off to **Bridewell**, with a body of police officers. As

\* Among the prisoners taken into the **Mansion House** was a very powerful man, with his hat wadded with straw; he said he *expected a row*, and it was to protect his head. Another very daring fellow, who refused to give his name, *said he came lately from Birmingham*.

soon as the mob had intelligence of the prisoners being sent off, they followed in numerous parties, overtook them at the end of Nelson-street, soon knocked down the constables, (one of whom was seriously injured by kicks in the head) and released all the prisoners.

As evening approached, the mob became more daring, and renewed their attack on the Mansion-House. Sticks and stones were discharged in quick succession at the windows, and no resistance being offered, they proceeded to further violence. The Mayor came forward, and called upon the multitude to disperse. His Worship cautioned them of the consequences of continuing their refractory proceedings; and, in alluding to the military, known to be in the immediate neighbourhood, said, he should be sorry for it to be hereafter said that, during his mayoralty, such scenes took place as most probably would ensue, if he should be compelled to read the Riot Act, and troops should be called in to quell the disturbances. During his address, the Mayor was assaulted with stones, and a very large one narrowly missed striking him on the head.

About dusk, when the mob was greatly increased, the Mayor and three other Magistrates again came out in front of the Mansion House, and were received with a volley of stones, brickbats, &c., with which they were severely struck. The Riot Act was then read three times by the Mayor. When standing on a chair for this purpose, a top rail from the Square was thrown at him, which, had it struck him, would probably have killed him.

The constables, after a very meritorious defence, were driven into the Mansion House, the front and side of

which the mob attacked with determined fury. The yells and cries were frightful. "Give us," they cried, "the b——y Recorder, we'll murder him." Soon all the window frames and shutters were beaten in, as well as the pannels of the doors. They raked the hall and dining-room with brick-bats and large stones, which they procured by demolishing the court walls before the houses in the Square. The hall and parlour floors were covered with stones. A party attempted the cellars. But now the resolute conduct of the special constables prevented their storming the house. Beds and furniture were brought down stairs to form screens for the constables. The mob thus resisted, then determined on setting fire to the Mansion-house; and a quantity of straw was thrown into the dining room.\* The cry was, "a light, a light," when at the moment two Magistrates came up with the 3d Dragoon Guards. It may be remarked, that up to this time the mob had been solely bent on destruction—plunder had not yet been contemplated as part of the scheme.

During one of the most violent assaults on the Mansion-house, the multitude of spectators, in imitation of the admirable rehearsals at several Reform meetings, sang in full chorus "God save the King," as an encouragement to the more adventurous of their gangs, who were attempting to burn the King's Judge for opening his Commission.

While some were destroying the house, others were forming, according to the rules of revolutionary science, a barricade with the iron railing in front of

\* The Radical Papers, and Pamphlets, though they throw every possible abuse on the constables for doing their duty, call the ruffians (speaking of them at this time) a good-humoured mob.

the Mansion House, to prevent the approach of the military ; poles and planks were also placed across Little King-street, and the gas lights were extinguished.

About five minutes before the arrival of the military, the Recorder made his escape, the details of which are too interesting to be omitted ; but to give them immediately, would be an interruption to the course of the Narrative. (It should be mentioned that the squadron of the 14th, ordered to Fisher's Repository, having had to go a considerable round to avoid the city, had not arrived when the Magistrates reached the stables. When they did arrive, in about ten minutes, and were informed of the proceedings in the Square, they set off thither at a good pace.) When Col. Brereton entered the Mansion-House, one of the Magistrates told him that the Riot Act had been read three times, and that he must use whatever force was requisite to put down the mob ; the Mayor coming down stairs at the moment, the Magistrate appealed to him. The Mayor answered, "*certainly it has my approbation.*" On the arrival of the troops the mob retired from the door, but continued to occupy the ground in front in great numbers, but in the presence of the military did not attempt to force an entrance into the Mansion House. Colonel Brereton was then directed to clear the streets, disperse the mob, and restore the peace of the city. The troops under his direction continued to march about the Square, according to orders, "to ride through" and "walk away" the rioters. Their conduct, however, became more turbulent. Brick-bats, stones, and other missiles were continually thrown at the soldiers, the constables, and the Mansion House.

Two of the 14th dragoons were brought in severely wounded, and an officer of the same regiment was much hurt by his horse falling under him. Notwithstanding the mob had made a persevering assault upon the Mansion house, Col. Brereton expressed his opinion that it was a "good humoured mob,"—and he had no doubt he should be able to "walk them away." On the wounded soldiers being brought in, the Town Clerk asked the Colonel if the usage the poor fellows had received was a proof of the good temper of the mob. The conduct of Col. Brereton was indeed of so equivocal a nature, and so ill-suited to the instructions of the Magistrates to use all the force necessary to quell the riot, and restore the peace of the city, that the Town Clerk thought it necessary to ask him if he had any secret instructions from the Government which conflicted with the orders of the Magistrates ; to which the Colonel replied, " My instructions are to attend to the orders of the Magistrates." This however he failed to do, and hence the subsequent atrocities.

Some time after, Capt. Musgrave's troop of the 14th Dragoons, (the other having retired to refresh and feed) was ordered to "charge;" this was about eleven at night, and the troops of the 14th then drew their swords for the first time, but the order was given by Col. Brereton in terms too equivocal to be clearly understood, or to be strictly adhered to—the order was "to use the flat of the sword as much as possible, and not to proceed to extremities till absolutely necessary;" and even this qualified order, to repel by force, was shortly rescinded ; and subsequently, when that troop received considerable annoyance from numbers of the rioters, who had taken refuge in barges, and in places under

cover, where the troops could not reach them, or make any return but by means of fire-arms to the incessant peltings, Col. Brereton gave most peremptory orders to the troop not to fire.

At this time, eleven o'clock, the Magistrates sent two or three constables before the troops with lights. Upon one of the officers of the 14th Dragoons coming in to complain that the troops would be uselessly sacrificed, being attacked by the mob, who retreated to the ships, where they could not be followed, and asking for permission to fire, a military gentleman on half pay offered to go with a party of 25 men, if they could be supported by the soldiers, and dislodge the rioters; but this was given up, upon Col. Brereton's suggesting, that in his opinion they would soon become quiet and go to their homes, if they were left unmolested, and saying he would be answerable for the peace of the city, and would patrol it during the night. The Magistrates requested Capt. Shute, of the Bedminster Troop of North Somerset Yeomanry Cavalry, to muster his troop in readiness by the next day.

About a quarter before twelve a considerable portion of the mob moved off to the Council-House, where they immediately proceeded to demolish the windows, and force the doors. They had broken about a hundred panes of glass, and would soon have gained entire possession of the building, when Captain Gage's troop of the 14th dragoons arrived, which (on their return to Queen-square, after having refreshed and fed,) had received orders from Colonel Brereton to protect the Council-house. Capt. Gage being here left to his own discretion, the rioters were promptly charged through High-street, Broad-street, and Wine-street, and effectually dispersed. After this gallant movement, in which

about eight persons were severely wounded, not a rioter was for some time to be seen. The main body of the mob that had been driven down Broad-street, ran round through the Pithay and came up the alley in Wine-street, and pelted with bricks, stones, and pieces of iron the troops as they passed. Among the most active in assaulting the soldiers, was a man (belonging to St. George's parish) in a light-coloured dress, whose practice it was to advance into the street several paces, and throw his missile, of stone or iron, with well-directed aim. Capt. Gage, having observed him do this several times, drew a pistol and levelled it at him, but it flashed in the pan; one of the troop fired, and the man fell. The circumstance of the man being shot has been laid as the sole cause of the exasperation of the mob against the 14th; but it is much more probable that it arose from the conviction that the 14th would not trifle with them, and the proof they had given of their determination in driving the mob from their attempt upon the Council-house; and how can those who would rest the ulterior proceedings upon *this* feeling in the mob against the 14th, account for the attack upon the Council-house, when the professed objects of irritation were assembled within the Mansion-house? But for the timely aid of Capt. Gage, the Council-house would have been destroyed, and *there* would have been the commencement of the incendiarism and plunder.

However the arrival of the troops in Queen-square may, for the time, have saved the demolition of the Mansion-house, their presence, unaccompanied with those active measures which it was their undoubted duty to have performed, it is more than probable gave a fearful sense of security to the mob; and the extraordinary conduct of Colonel Brereton, in mixing with and

shaking hands with the rioters, and admitting their familiarities towards himself, must have given them great confidence, and even hopes of the co-operation of the soldiery, and that their atrocious attempt would be crowned with a military triumph. And perhaps this, not unreasonable expectation, may have induced the principals of the riots to defer their operations, that they might, in the interval, either gain the soldiers to their purpose, or direct their first attention to effect the removal of any they could not trust, or whom they had at least more reason to fear.

About two o'clock on the Sunday morning, the mob having mostly withdrawn, and comparative tranquillity being restored, the troops retired to their quarters, with the exception of a picquet of the 3rd dragoon guards, left at the Mansion-house, and a picquet of the 14th dragoons left at the Council-house, which were relieved at intervals till between 7 and 8 o'clock in the morning of Sunday, when Colonel Brereton ordered both the picquets to return to their quarters.

On this occasion, Colonel Brereton represented to the Magistrates that the picquet of dragoons must be withdrawn,—that the troops were greatly fatigued,—and that the few remaining on duty only collected a crowd, without doing any good. They were accordingly sent off. Colonel B. wished the troops to be close together, and the attendance of a Magistrate was requested. One accordingly left the Square with the Colonel, and Leigh's Bazaar stables were hired for the troops,—the Magistrates agreeing to pay as for private horses, and all other horses were removed to make room for those belonging to the military.

The Narrative has now reached the termination of the first day of the Riots. It will be necessary, however, before the commencement of those of the succeeding day, to return, in order to gather a few circumstances and particulars which, though important, could not have been well introduced previously, without disturbing the clear account of the general proceedings.

In the temporary absence of the Under-Sheriff, between six and seven o'clock in the evening, for the purpose of ascertaining if Sir Charles Wetherell had reached a place of safety, Major Mackworth, Aid-de-camp to Lord Hill, (whose personal narrative will be given in the Appendix) offered his assistance to the Mayor in organising the constables, which was readily accepted; they were accordingly sent out in parties into the Square and adjoining streets; and in a short time nine prisoners captured by the civil force were safely conveyed to the Gaol.\* Major Mackworth remained with the Mayor till two in the morning, and thus gives his testimony of the propriety of the proceedings of the Civil Authorities. "During this period the Mayor and Magistrates appeared to me to be using every means in their power to call out the citizens, and enrol them as special constables. When I quitted the Mansion-house, the crowd had nearly all dispersed, and I really thought the worst of the riot was over. The dragoons had hitherto only used the flat of their sabres."

\* The fact is, the constables were not so disorganized as it would appear from Major Mackworth's statement. Many of them had been on duty from eight o'clock in the morning, and had acted with great courage and propriety, and were then, as the dragoons had possession of the street, taking some refreshment, their commander, the Under-Sheriff, being sent in search of Sir C. Wetherell.

When the necessity of calling in the troops became evident, two Magistrates made the best of their way to the head-quarters of Colonel Brereton. They did not find him there, and proceeded immediately to Fisher's stables. But the troop of the 3rd dragoons would not move without the Colonel's orders. Shortly after, Colonel Brereton came in, when the extreme danger of the Recorder was urged, and the order was given to proceed to Queen-square, at a trot. On their arrival, "some of the rabble addressed the Colonel, but what they said was not heard; the Colonel then took off his hat and *cheered*, as also, from a sense of military etiquette, did the officer in command of the 3rd, and some of the men; but which condescending example (says the military narrative in the *United Service Journal*) was not followed by the 14th."

The houses in Queen-square having courts before them, the mob took possession of these as secure places, from whence they pelted the soldiers. It was thought proper to clear them. One of the officers of the 14th had marked a respectably dressed person very active in giving orders to the mob, and pursued him into a court, riding in after him. The man was very abusive, and the occupier of the house came down and took part with the rioter, and joined in ordering the officer out of the court. In less than four-and-twenty hours that house was burned to the ground. Such is the reward of a relinquishment of manly duty, and the gratitude of ruffians!! And such is the safety to his property that a bad citizen will ensure by his base concession to the demands of a revolutionary rabble.

At every stage of the riotous proceedings, instances occurred which completely refute the assertion, that the mob acted wholly from momentary impulse. The fact we are about to quote, shews that the mob were on the look-out for the means of revolutionary resistance, against any attempt to counteract their operations, and that they had well considered the efficacy of those means. Captain Morley, of the trow Weekly Packet, of Stroud, states, that on Saturday, the 29th October, he took on board, with various other goods, a quantity of oil of vitriol: that about eleven o'clock at night, a number of men, most of them Irishmen, came from Queen-square to his vessel, then lying on the Back, and demanded that he should deliver to them a carboy of vitriol. He addressed himself to one of the men whom he recognized as having been employed during the day in loading the vessel, and asked him what they wanted the vitriol for. He said, to throw over the horses in Queen-square (the 14th). The captain told him the vitriol was under the fore-deck, and that they could not come at it without discharging the trow. They said, as there was plenty of room right and left (meaning overboard) they would not be long unloading her, and were about to commence, when they heard the approach of the 14th, who were on their way to the Back to light the gas lamps which had been put out. They left the trow, and ran under the Market-house, and commenced throwing stones at the 14th. In the mean time, the captain of the trow found assistance, and hauled off his vessel to the middle of the Float; and on the return of the scoundrels they could not board her.

It may be proper here to give some details of the escape of Sir Charles Wetherell. It will be recollected that the populace were prevented from firing the Mansion-house by the timely arrival of the soldiers; they had obtained a short possession of the lower part of the house, and had thrown a quantity of straw into the dining-room and parlour, and were calling for lights;—they were in such force that they had driven the constables to the staircase, which was raked with missiles from the front door and the side windows.

It was now evidently the intention to make sure of their victim, by burning him alive within the Mansion-house. Nor were the ruffians deterred from the attempt by any consideration of destruction, in the same ruin, of the Magistrates and constables. The sacrifice was ordered. At this alarming crisis there was great confusion, every one being aware of the imminent danger, and dreading a devouring enemy from whom no exercise of courage could save them. The Recorder succeeded in getting upon the flat roof of a portion of the dining-room, which had been added to it for the purpose of increasing its size. Two other individuals had also taken refuge there. This was a position of great danger, for there was apparently no means of exit, and had the mob then rushed in, they would all probably have been murdered. The Recorder challenged the two persons, "All friends?" "We hope all are friends here," was the reply; "are you the Swordbearer?" Sir Charles readily made himself known to them. Looking upwards, they observed a light, and one of the party with great difficulty climbed up, and seeing through a window in the next house a female in a state of great alarm,

he called to her, and enquired if she had a ladder in the house ; she replied in the affirmative, went away, and shortly returned with the ladder ; but here was another difficulty,—the ladder could only be placed in a slanting direction, by no means easy to be ascended. But in this they succeeded, and were now on the roof, that which there was a considerable drop to the stables which were at the back. They, however, descended in safety ; and endeavouring to get into the hay-loft by breaking the window, the coachman was alarmed, and ran out from the stable, thinking the rioters were breaking in. On opening the stable door the mob rushed towards it ; but the man prudently stepped in and closed the door. After some time, finding all quiet, he went into the hay-loft, and was told his master was there. The window-frame was soon taken out, and the party got into the stable. The mob at this time had been driven from the front, and were in great number in Little King-street, at the back of the Mansion-house. After a while the coachman looked out and reported the mob were diminishing. Upon this Sir Charles effected an exchange of dress with one of the persons he had met on the leads, and instantly made arrangements of terms, suitable to his apparent condition, to be used towards him in the presence of the mob ; and thus, with a low familiar name, he left the stables with one of the persons abovementioned ; the other followed shortly after. At the end of King-street, they met a large party, which, by means of the dialogue before agreed upon, they passed without exciting suspicion. They proceeded along the Quay, over the Drawbridge, and arrived in safety at a house on Kingsdown.

After remaining there a short time, Sir Charles expressed great anxiety on the Mayor's account, and in consequence left the house and returned to the city; he passed along the Quay, and remained in that quarter nearly two hours; when, finding the mob were not dispersed, and that the military were inactive, he remarked, that it would be useless for him to wait any longer, and he returned to Kingsdown; which he afterwards left in a chaise for Newport. He arrived at Newport between two and three in the morning. It has been reported in the Papers that the innkeeper spoke disrespectfully of Sir Charles; but it would be injustice to Mr. Giles to suffer this account to pass uncontradicted. It has not the slightest truth. The post-boys had informed the servants that it was the Recorder of Bristol who had arrived. These acquainted Mr. Giles, who was in bed; he arose immediately. Sir Charles sent for him, and conversed with him half an hour, nor was there the slightest disrespect shewn. Sir Charles expressed his fears that the disturbance in Bristol was more than a common riot, for, added he, "I am not aware that I ever injured any individual in the city."

It certainly is not a little extraordinary that the Press, both in and out of London, as if they were in the pay or under the influence of those who contrived the riots, should have taken so much pains to direct the public odium against Sir Charles Wetherell. It cannot be asserted, with any pretence of reason, that it was because he had said there was a "re-action" in the public opinion on the Reform Bill, for he was neither the first or last that had made that assertion. Will that circumstance then satisfactorily account for the hue and cry set

up against him? It was quite astonishing to read the paragraphs in the papers and pamphlets against the Recorder of Bristol;—they were the maniac howlings of demons after their prey, rather than the honest and wholesome strictures of an English Press, whose boasted liberty had not until then become the pander to the assassin. There is a mystery in this not yet explained. But conjectures are easy.

Before finally closing the account of the *Saturday* Riots, it may not be irrelevant to make one remark upon a charge so frequently urged against the Magistrates, that they did not, in express terms, direct the troops to fire. Now it does not appear necessary that the Magistrates should point out in what precise way the soldier is to do his duty. It is sufficient if he is told to do it effectually; the mode must rest upon his discretion, and his knowledge of the uses of his resources. But if the reader will bear in mind the communication of a Magistrate to Colonel Brereton, on his first arrival in Queen-square, that the troop *must fire* and put down the mob, and that this *order* had the Mayor's approbation; and if he will bear in mind the remonstrances used to Colonel Brereton, and the enquiry if he had any other orders that forbade him the required use of the forces under his command, the charge will at once fall to the ground. And it is a wonderful inconsistency that an accusation of this character should be levelled against the Magistrates by the very parties who were so loud against them for applying at all for military force. But in fact it should rather be asked, why were *not* the military called in, and to instant action, at a very early stage of the riots?—and why were the mob

suffered such an atrocious indulgence as their advocates demanded and still demand for them? But here, likewise, let the candid reader bear in mind the *opposition* that was given to the first application for the military, and the unusual restrictions imposed by the Government on the use of the means they so tardily granted; let him recollect also the known scrutiny which the Government had so recently taken of Magisterial duties elsewhere, and the danger attending an energetic exercise of them;—let the candid reader bear all this in mind, and independently of the excuse which he will find in a natural and humane dislike to shed blood, he will be at no loss to justify and to applaud the proceeding of the Magistracy. It is a base and abominable cry that is set up against them, powerful, because it is the work of a demon Press, and for the vilest of purposes.\* But it is hoped, even in this case, truth will prevail—and that there will be a *re-action* more creditable to the public feeling.

\* The envious malignity of the Radical Press against the Corporation has exceeded all discretionary bounds. The *Bristol Mercury* of the 1st Nov., while describing the horrors of the riots, and the breaking into the Mansion-house, treats as a *ridiculous* matter the exposure of the kitchen:—"the meats turning at the spits, and upon the ranges the different saucepans, kettles, &c. boiling, unattended by a living soul." And then, forgetting the feast was provided by the Mayor, (a reforming Mayor,) as an official necessity and condition, the virulent writer makes it a most serious charge of cruelty and gluttony against the Magistrates, to make the people believe that they contemplated nothing but the luxuries of a banquet.—"But the idea which, at the moment, so forcibly impressed us of the feelings of the men, who, anticipating disturbances of importance, sufficient to justify the calling in of the military, could, under such circumstances, contemplate the luxuries of a banquet, forbids us to enlarge upon the subject. We turned from the scene with disgust." The writer was not such a senseless fool as to have any such feelings; but it would throw contempt on the authority of the Magistrates, when that authority was most wanted for the peace of the city.



## PART VIII.

## RENEWAL OF THE RIOTS ON SUNDAY MORNING.

At about two o'clock in the morning of Sunday, when the greater portion of the mob had withdrawn, all the troops were ordered to their quarters, except a picquet of the 3rd dragoons who were left to patrol the Square, and a party of the 14th protecting the Council-house.

Three Magistrates sat up at the Mansion-house the whole of Saturday night, during which time carpenters were at work boarding up all the windows and doors, which was completed by six o'clock in the morning. At day break two of these Magistrates were relieved by others, but the Mayor still remained.

Between seven and eight o'clock, Colonel Brereton arrived at the Mansion-house, accompanied by Major Mackworth, and stated that the picquet must be withdrawn, as they were fatigued, and instead of being serviceable only tended to collect a crowd. They were accordingly ordered to their quarters.

The picquet had been no sooner removed, than the mob quickly came into the Square in great force. It is clear that the greater part of them *must have been up all night*, for they came down in *a body*, as if somewhere assembled and organized for instantaneous action. They immediately again attacked the Mansion House, tore down all the barricades that had been put up during the night, obtained complete possession

of the lower part of the house, and then commenced the plunder or destruction of every species of property it contained. It was now that the Mayor and one of the Sheriffs with difficulty escaped over the roofs. The Mayor on this occasion showed considerable courage ; he hesitated even then to quit his post, though it was no longer tenable ; and it was only on the remonstrance of Major Mackworth, who told him, though a soldier, that he thought it his duty to leave, that he was prevailed upon. Some constables made their escape at the same time. During the sacking of the Mansion-house, the wine cellars were forced, and a very large stock of choice wines fell into the hands of the mob. It was a prize not to be neglected, and the effects were soon visible. The intoxicated wretches in great numbers ran or staggered through the more distant parts of the city, and this exhibition of their triumph drove fresh forces into the tumult, and they rushed to the Square to the indulgence of intoxication and plunder. The furniture of the ground floor, tables, china, and glass, were thrown into the Square, and wine distributed and wasted.

The Mayor and Magistrates in person immediately seek Colonel Brereton, order him to get out the troops, and, while the soldiers are saddling their horses, knock at the doors in College-green and on St. Augustine's Back, and call on the inhabitants to collect their servants and neighbours, and in the King's name to aid and assist the Magistrates. The troops arrive in the Square, Colonel Brereton at their head. (On reaching the Quay they had opened their ranks and taken the Mayor and another Magistrate between the horses.)

The arrival of the soldiers gave a temporary check to the proceedings of the mob, part of whom withdrew, but soon returned and renewed their peltings, with stones and other missiles. The Mansion-house was, however, retaken by the constables; but the rioters, expelled from the interior, tore away the iron-railings in front of the house, part of which they employed in forming barriers across the roadway of the Square to prevent the troops from acting, and with other portions of it they armed themselves for purposes of intimidation and violence.

As soon as the troops were drawn up, the Riot Act was read by Mr. Alderman A. Hilhouse, and many respectably-dressed persons who were standing near were requested to go away immediately, as the troops would be directed to fire, and if they remained they must take the consequences. A second and a third time the Riot Act was read, and many women and children who were looking out of the windows of houses in the Square, were cautioned by signs to retire, lest the shots should reach them. Each time after reading the Riot Act the Magistrate addressed the rioters, entreating them to disperse, and representing the peril at which they stayed. He then told Col. Brereton that the rioting *must* be put down, and the Square cleared. The Colonel's answer was, "the troops cannot and shall not fire;" they had, he said, been up all night—that the horses and men were much fatigued, and were not able to contend against the mob—that if the soldiers fired, the mob would be so infuriated that they might overcome the troops, and the city be given up to slaughter—that it would be better to keep the mob in temper until the next morning, when a reinforcement of troops might be expected.

About half-past ten, Col. Brereton conceiving that the presence of the 14th, who had killed a rioter, as has been shown, in Wine-street, irritated the mob, ordered them back to their quarters. They left the Square by the Excise avenue. When the front rank of the troop had come opposite the Hole-in-the-Wall public-house, a mob of about five hundred, many of them armed with Mansion-house iron railing, began pelting the rear of the the troop with brick-bats and stones, which made the horses plunge, and the Sergeant rode to the Captain, who immediately halted the men, and faced them about. The order was given to draw their swords, and three men charged down to the bottom of Prince's-street ; in turning, one of the horses fell, and three more charged down ; but the soldier having got up and mounted, they turned round and re-joined the troop, who again proceeded towards their quarters along the Quay at a foot pace. The mob, after the troop had passed the end of Marsh-street, ran down that street and through the lanes, and reached the Steam Packet Office, near the Drawbridge, and having thus got before the soldiers, again commenced pelting. This was borne with the greatest patience and forbearance, and the troop passed the bridge. The mob rushed after them, and orders were then given to present pistols, but as there appeared to be many respectable persons on their wa to church, no order was given to fire. Opposite Denmark-street, about a dozen powerful fellows laid hold of one of the dragoons, and attempted to pull him off his horse ; he drew his pistol and shot one of them dead ; the Captain came immediately to the rear of the troop, and faced round the rear rank. The mob gave way for a moment,

and the troop proceeded. In their way up St. Augustine's-back about a dozen shots were fired,\* but the soldiers acted with so much judgment, that not an individual was wounded that was not actively engaged in pelting them. The mob ran through Hanover-street and Denmark-street, and again attacked them at the top of Unity-street. The officer soon drove them down that street; and to their great astonishment his horse went up the Grammar School steps, and dislodged a party who were pelting from thence. From the centre of College-green they were again annoyed with missiles, and one of the dragoons was severely hurt; but upon three or four of the soldiers leaping the railings and iron hurdles, the mob ran like a flock of sheep. The troop then proceeded through the Green to College-street, where they were again attacked, and four or five persons were wounded; after which they reached their quarters. About a quarter of an hour afterwards, a party went down to the Boar's Head Yard, with the intention of attacking the stables, but the sentinel fired his carbine over their heads, and they all moved off.

Soon after the retiring of the 14th dragoons to their quarters, Colonel Brereton proceeded to the Mansion-house, and stated to the Magistrates on duty there, that the 14th had again fired and must leave the city. The Magistrates remonstrated, that the city would be left defenceless, and referred him to the Mayor

\* Col. Brereton hearing the firing rode to St. Augustine's Back, and, near the church, spoke to the officer; he then turned round to the mob, and told them the troop had fired without his orders and he would take care there should be a strict investigation, and that they should leave the city. Cheered by the mob he returned to the Square.

and Magistrates at the Guildhall. On his arrival there he applied to those Authorities for their sanction to the sending the two troops of the 14th out of the town; but he was distinctly told they would not authorise or consent to this proposal; that if he sent them away, the act must be solely on his own responsibility. Having expressed his determination to remove them, they did not refuse to point out quarters. Soon after 12 o'clock, Colonel Brereton came to Fisher's stable yard, and told one of the officers that he must immediately quit the city. Some explanation took place. When Captain Gage came in, he was told to leave the city immediately. After a short conversation, he enquired where he was to go? "Where you please, only get away," was the reply. Some person in the yard suggested Keynsham, where it was settled they should go. At this time there was a considerable mob in the street, and there being three or four horses at the Bazaar stables, there was some difficulty about their joining the rest of the troop. Col. B. expressed great anxiety about their going, and added, "You must trot out of town." The squadron left the yard followed by the mob. In Limekiln-lane one of the dragoon horses fell, the mob made a rush, and a few shots were fired. They proceeded down the Hotwell-road, round Cumberland Basin, by the new River, into the Bath road, without further molestation. No troops ever showed more forbearance or acted in a more laudable spirit. Thus were *jaded*\* troops sent to *trot* six miles; yet to their credit be it spoken, they went with great reluctance.

\* Colonel B. admitted on the subsequent Court Martial, that these troops were fit for any service.

After this, Colonel Brereton returned to the Square, and informed the mob that he had sent the 14th out of the city, and they exulted greatly at their success.

The 14th having left the city, *it was virtually surrendered to a lawless mob.*

Soon after the arrival of the Mayor at the Guildhall, the following notices were issued and posted up in the Square, and other parts of the city:—

“Council-House, Oct. 30, 1831.

“Sir Charles Wetherell left Bristol at twelve o'clock “last night.”

“The Riot Act has been read three times. All persons found tumultuously assembling are guilty of “capital felony.”

“By order of the Mayor.”

“Sunday, Oct. 30, 1831.”

“The Magistrates most earnestly entreat the assistance of their fellow citizens to restore the peace of the city, by assembling immediately at the Guildhall.”

“Guildhall, Sunday morning, half-past ten o'clock.”

These were soon torn down, and the unfortunate bill-sticker knocked about. His kettle was taken from him, the paste thrown about, and the kettle forced upon his head, amid the laughter of the mob. A bill from the Bristol Political Union was also posted, and remained unmolested!

Besides the public notices given above, the Magistrates sent letters and messengers to all the Churches and Chapels, calling upon the Citizens to attend at the Guildhall. An express had been sent for the Dodding-

ton Troop of Yeomanry Cavalry, and others, and the following notice had been posted at the Bar of the Commercial Rooms :—

“The Citizens are requested to meet the Magistrates at the Council-house, to assist them in suppressing the riotous conduct of the mob, and to restore peace to the city.”

Did the citizens obey these calls ? It appears that about 150 gentlemen attended, who, after some conversation as to the means necessary to restore the peace of the city, were requested to attend again at four o'clock, with as many friends as they could collect. At the adjourned meeting it was stated to the gentlemen present, that they would have to be on duty all night. This was agreed to on condition that they should be supported by the troops; but they expressed unwillingness to risk their lives if deprived of the aid of the soldiers.

In the mean while the Square was rather the scene of brutal drunkenness than of riot, such as it had witnessed. One act of a revolutionary tendency was, however, exhibited. A person mounted the Equestrian Statue of William the Third, and fixing a tricoloured cap on a long pole (this cap, it is certain, was not hastily made,) pronounced aloud “the Cap of Liberty.” A few soldiers were still drawn up in front of the Mansion-house, but they and the mob seemed little disposed to molest each other. The mob well knew that Colonel Brereton had sent the 14th out of town *because* they had fired, and were quite indifferent therefore respecting the 3rd, (or, as they called them, the red jackets,) thinking they would not act.

Hitherto the attacks of the mob had been confined to the Council-house and the Mansion-house. They had not yet completely succeeded at either of these points. It was now thought time to extend their operations.

About one o'clock a large body was congregated in the Old Market-street, among whom many individuals were observed to be particularly active. About this time three respectably dressed men arrived in a gig at one of the inns in that street, as also two men in a fly, who had come in on the Saturday in a Bath chaise. After a long conference, the mob moved off in haste towards the town. There can be but little doubt that all their plans were now finally arranged, under the superintendence of these strangers.



## PART IX.

## BURNING OF THE PRISONS.—SUNDAY AFTERNOON.

Soon after one o'clock the mob had very much increased about the Mansion-house, particularly on the Charlotte-street side; and their attacks were renewed with a violence that indicated a fixed determination to accomplish their deep-laid plan of outrage and incendiarism. The windows of the banqueting-room were soon dashed in pieces, as the prelude to more extensive destruction.

In the course of the morning, the constables had apprehended a boy, who it appeared had been active in throwing stones; but on the charge being investigated by the Magistrates, they were not satisfied that the evidence was sufficiently clear against the boy, and they accordingly discharged him; but, as it afterwards appeared, he did not quit the Mansion-house, though at perfect liberty to do so. The mob, however, seized upon the circumstance as a color to their proceedings, and there was a general cry of "rescue, rescue," "down with the house," &c. Upon this, a gentleman of the Society of Friends told the mob, if they would move off, the boy should be *released*, and he went into the Mansion-house.\*

\* During this occurrence a message was sent to the Magistrates from the officer commanding the 3rd dragoons, then in the Square, requesting to speak with them. One of them accordingly went to him, when the officer told him that the mob wanted a prisoner, who must be given up, or the force which he had would not be able to

On communicating the fact to the mob, that the boy had been released, they exulted greatly, considering that the Magistrates had yielded through fear ; and very soon after a cry was raised, " now then, we will have the prisoners out of Bridewell." During this the 3rd dragoons and the mob were on the best terms. Wine was carried about in great quantities from the Mayor's cellar ; and soon after another body came down, and instantly the cry was " Bridewell." It was about half-past one o'clock a party of them proceeded to Bridewell ; on their way thither they halted and broke open a smith's shop, in Nelson-street, where they procured hammers, crow-bars, &c.,\* and with these formidable weapons they attacked the Bridewell. Mr. Evans, the keeper, had, on their approach, taken the precaution to shut the gates, and endeavoured, with the assistance of the turnkey and other persons, to resist the pressure against the gate on the Nelson-street side, which however gave way, and the whole space was instantly filled with persons. Mr. Evans and the turnkey were driven into the house-side of the Bridewell.† The mob first lifted the large gates off the hinges, and threw them into the adjoining river Froome, that they might not be closed upon them while engaged in further operations. They then began with their bars to open an old window,

keep the mob in check, and that the constables had done wrong in causing excitement, by uselessly taking persons into custody. The Magistrate informed him that the prisoner had long since been discharged.

\* A quantity of bricks, accumulated for the purpose of new fronting a house in Bridewell-lane, fell a prize to the mob ; about 1,500 were taken for purposes of violence.

† The prison and the keeper's dwelling-house occupied opposite sides of a court, through which there was a thoroughfare by day ; at night the gates were closed.

when Mr. Evans made his appearance with a blunder-buss, and gave notice he would fire at the first person that moved a stone. Thus they were kept at bay for about a quarter of an hour. The keeper by this time learned that the 14th dragoons had been sent out of the city, and seeing no hopes of assistance, he enquired of the mob what they wanted ; they replied, "release the men that were committed last night, and we will be off." The key was handed down, and the prisoners were liberated. The keeper, his wife, and children, and some other persons who were in the house, escaped over the roof ; and in a few minutes after the mob had obtained possession, the buildings were set on fire.

Soon after the attack upon Bridewell, a large party proceeded to the new Gaol, a very strong stone building, erected only a few years ago at a great expence. In their way they attacked the workshops of Messrs. Acraman. The following is given as a specimen of their obedience to the orders of their leaders. After the door of the warehouse was forced, a respectably-dressed man, short and rather stout, in a suit of brown, and a double-frilled shirt, with three pearl buttons, came up, and taking off his gloves ordered all but three men out of the warehouse. These he sent for two dozen sledge hammers, as many crow bars and iron wedges, and then directed the door to be secured. But on consideration he said, "we shall want some spanners to take off the nuts ; get three pair, but mind I shall expect all these tools to be returned !"

The governor of the Gaol, having received information of the attack, had gone to the Mansion-house, and was referred to the Guildhall. Here two Alder-

men, Mr. Hilhouse and Mr. Savage, having collected about sixty citizens and constables, went with the governor to the Goal. They found at the time of their arrival an immense multitude, not less, probably, than fifteen thousand persons about the Goal, and in front of the portal or entrance. The streets were filled with respectably dressed persons, but none of them joined the Magistrates. This small party, with the two Aldermen, were instantly furiously attacked with a volley of stones and other missiles, and forced to retire—one gentleman was knocked by a brick-bat on the side of the head, and whilst down was struck with a pump-handle;—he was taken home insensible. The force of the mob was every moment fearfully encreasing, a dense mass had collected, and on the other side of the river, wherever the eye could range, thousands were in motion.

Though the mob were in force at the Bridewell and Gaol at the same time, there was such evident concert in their operations, that the same system was pursued at each place, and many of the most violent among them were proved to have been active in both the attacks.\*

Messengers had in the mean time been sent to, and had found Col. Brereton, and told him that the Magistrates were gone to the Goal, and requested the troops to join them there. The mob first began their attack on the small door, which leads to the turnkey's room, but they could make no impression; they then attacked the large gates with sledge-hammers and iron bars—after some time there was a call for wedges, which were

\* William Clarke and Patrick Kearney were afterwards convicted of assisting in the demolition of the Bridewell and Gaol.

driven into the lower part of the large gates. As the splinters were thrown off they were cast among the people, and received with great cheering. After about three quarters of an hour's labour, a hole was made in the bottom of one of the gates, large enough for a person to go through, when a man crept in and drew the large bolts; the gates being open the mob rushed into the yard and governor's house, and threw every moveable article into the New River; as the tide was ebbing fast, all was carried off by the stream. The caravan used for conveying the prisoners to the Guildhall was launched into the water, and thither also were thrown the governor's books, and other property.

They were in the act of releasing the prisoners when the 3rd dragoons under the command of Cornet Kelson arrived; they had proceeded at a foot pace, and when in sight of Prince's-street-bridge, the mob ran in every direction. The soldiers rode up to the large gates, and one of them looked in. At this time not more than three of the prisoners had been liberated, and about 200 rioters might have been secured in the Goal, by merely guarding the entrance. The gates were only partly injured, and could have been secured with ease. The road before the Goal having a high wall on one side and the river on the other, half a score dragoons might have beaten off any mob; had the soldiers then present, about twenty in number, performed their duty, the ring-leaders would have been taken in the prison, and the riots might have terminated. On the arrival of the dragoons the turnkey and another person closed the inner gates, which secured the mob in the prison yard; but at this critical moment orders were given to the soldiers to wheel,

who accordingly returned to their quarters, the dragoons holding up their hands as the mob cheered them. The officer in command had received peremptory orders from Col. Brereton to use *no violence*, but merely to go to the Gaol and return.\* The rioters now thinking the city was entirely in their possession, shouted "the soldiers are with us." The prisoners (170 in number) were released; many of them, male and female, stripped off their prison clothes, and went away almost in a state of nudity, the mob following them with exultations. The wretched man, Davis, who afterwards suffered for his crimes, gave many of the liberated prisoners money. Orders were then given to proceed "to Hill's-bridge, to stop the London mail." Davis took off his hat, put it on his umbrella, waved it, and cheered the mob, and said "Now d—n ye, we will have reform—this is what ought to have been done years ago." The prisoners being liberated, the next step taken was that of setting the prison on fire; and a black handkerchief having been tied to the weathercock on the top of the porter's lodge over the gateway, it seemed to be the signal for commencing operations; for immediately after, dense clouds of smoke were seen to issue from every part of the building. The flames began to break out from the tread-mill, where the rioters had collected the straw of the wards and set fire to it—this burnt with fury until it was quite consumed. In about an hour the governor's house, over which was the chapel, was completely in flames. This was fired by Kearney and the party with him.

\*In his examination on the Court-Martial, Cornet Kelson was asked what report he made to Colonel Brereton, on his return from the Gaol. His reply was—"I said I had done what he told me—**NOTHING.**"

The benches in the chapel were rubbed over with a liquid, which the mob brought with them in tins in their pockets ; and putting the benches on their ends, the fire ran up to the ceiling. From the large body of wood in the upper part of the building the fire was very fierce, so as even to destroy the massive stone heads of the windows. Many attempts were made to fire the Goal in the wings, but without success. They, therefore, set to work to demolish as much as they could. Scarcely a pane of glass was left unbroken in the whole building. If so dense a mass as that here collected were not *all* rioters, the shouts of encouragement were too loud to be mistaken, and indicated a citizen population willing, and rejoicing that the King's Goal should be burned ; and "the King and Reform" were the common pass-words used alike for triumph and security.

About this time the President of the Political Union, whose placard had given so much encouragement to the rioters, endeavoured by addressing the mob to quell the storm. But when the mob become masters they will not listen ;—when they *did* listen, they took other lessons from their lecturers than those of obedience and peace. They now, seeing the city undefended by the soldiers, openly avowed their intention of burning and plundering private property. One of the prisoners, who had been convicted of robbing his master in Mary-le-port-street at the previous Sessions, on his being liberated went to his master's house with a mob, and demanded £20. After some time £10. was given him.\*

From the Goal a mob of about three hundred persons proceeded down the New Cut ;—the main body halted

\* This man was an Irishman ; afterwards apprehended in Ireland, tried, and transported for life.

opposite the Baltic Wharf gates, and about forty, headed by a respectable looking man, tall and upright, advanced towards the Toll-house by Cumberland Basin, and addressed the party—"These gates were to have been down five years ago—not down yet?—go it, my lads." About a dozen took the towing-path gate off the hinges, and sent it into the river. The large gate followed. A rioter, a young man, then went to the toll-keeper, and told him to remove his goods, while they were destroying the gates; these being disposed of, he took a quantity of oil and threw it on the floor, and also poured part of the contents of a tin case on the floor, and with fire from the grate set the whole in a blaze. The mob then took down the window shutters and threw them into the fire.

While the toll-houses were burning, one of the ringleaders went to Cumberland Basin, and enquired what ships had come down that tide, and what steam-vessels were expected? After a scrutinizing examination of the Basin he returned. The mob had stationed some of their number along the line from the toll-house to the Gaol, to keep up a communication by signals, in case of their being opposed and requiring reinforcements.

The fellow who had set fire to the Toll-house took off his jacket and dried it before the fire; he remained a quarter of an hour, and boasted to the Collector, that he had had "hard work at the prison, and got a wet jacket." In a short space of time, the toll-houses and gates on Prince's-street bridge were destroyed, and the ascending flames announced to the mob in other parts that the perpetrators were ready for their ulterior action.

At the Prince's-street toll-house, a North countryman, in a fustian dress, enquired if all the things were removed. He soon went up stairs (the foot toll-house) and said, "I can wait no longer," sent the bed down stairs, and ordered all the people out; in a minute this toll-house also was in flames.

The next outrage committed was upon the Lawford's Gate Prison, at the eastern extremity of the city, in the county of Gloucester. But before following the mob on their errand of destruction, it is now proper to detail the proceedings of the Citizens and Magistrates. It will be recollected that the latter had taken much pains to induce the citizens to assemble in active defence of their city. While these disgraceful riots were in progress, about two hundred persons met in the Guild-hall; the Mayor presided, and informed them that Bridewell was in flames and the Goal attacked, and intreated their most strenuous endeavours to restore the public peace. Some of the citizens present, as we have before stated, expressed their willingness to act, but declined risking their lives unless supported by the military. On the arrival of Colonel Brereton, Mr. Serjeant Ludlow addressed him on the part and in the presence of the Civil Authorities, demanding in their name, and in the most imperative terms, that the squadron of the 14th dragoons should be recalled, and the troops be immediately employed for the restoration of the public peace, and to preserve the city from destruction. But every demand on the part of the Civil Authorities for the recal of the 14th dragoons and for the efficient employment of the troops, was repeatedly and most peremptorily resisted by Colonel

Brereton. There was a general exclamation on the part of the assembled citizens that they were lost without the support of the soldiers. Many persons proposed plans, but, as is usual in such cases, little good was effected. There was great confusion, much of which was probably created by the emissaries of the rebel mob, who mixed in these assemblies, to interrupt plans of combination, and to give intelligence of their formation and intention. The general feeling was, that unless the troops were recalled the citizens would run into sure destruction or hazard, without attaining even a prospect of success. This meeting therefore broke up without coming to any satisfactory conclusion. After this, many of the gentlemen proceeded to the Council-house, to defend that building, while the Mayor and some of the other Magistrates went to the head-quarters of the Commander-in-Chief, to ascertain the places from whence troops might be obtained, and to confer with him on the best means of promptly procuring them. It was here agreed that despatches should be sent to London, Gloucester, Cardiff, Bath, &c. and seven Post-Office expresses were at once sent off.

Whilst the Magistrates were finishing their despatches, at the Colonel's office, a proposal was forced on their attention, by a person who requested an order to throw the contents of Mr. Hole's shop (the gunsmith's) into the river. The value of the arms was required; and it turned out the stock was worth £5000. It need scarcely be added—it was refused. Continually persons intruded themselves on these meetings, and thus the mob were made acquainted with whatever was proposed or doing.

While the Civil Authorities were thus *effective*, in doing all that was left them to do, and remained still in deliberation, the Vice-President of the Political Union, having returned from his fruitless endeavour to prevail with the rioters to disperse, stated to the Magistrates at the Council-house what he believed to be the intention of the mob. He further proposed a plan, which he thought would be crowned with complete success, that as the mob were at the Gaol, the bridges should be swung, and thus all intercourse with the city would be cut off. Such a plan may have a very plausible appearance to those unacquainted with the exact localities, especially when they are told that the mob were in an island. Such a plan may serve the purpose of furnishing vulgar accusation, and the flourishing comments of a London Radical Paper, who gloat over charges of selfishness and imbecility in constituted Local Authorities;—but in fact it was a plan altogether ridiculous and impracticable. In the first place there are ten pair of dock gates, with a footpath on the top, which it was impossible to swing while the water remained in the *Float*. There are also six swivel or (as they are commonly termed) draw-bridges. It appears, therefore, that swinging the gates, without a strong party to guard them, (*without soldiers, which were refused*) would have been worse than useless,—it would have *irritated* the mob, so great a crime in the eyes of the Reformers, and have sharpened their wits to feelings of revenge, as well as enmity. But besides, there were between fifty and sixty boats on the *Float*, and two ferries, and a numerous mob was on the *Bedminster* side. The Magistrates, therefore, exercised a sound judgment in rejecting the plan. Nor was it a very

slight objection, that there was a vast property which would, even by this measure, have been left to the certain fury of the rioters.

Thus we have shewn that although the Civil Authorities were active in the discharge of their duties, and a number of the citizens were ready to second their efforts, the general belief that what soldiers were left in the city were become partizans of the rioters, would have rendered nugatory the best arranged plan of defence. It had rained all the day, and about six o'clock the rain fell in torrents, and the Mayor and most of the Magistrates were wet to the skin. The Sheriff and part of the citizens remained at the Guildhall, between which and the Council-house a constant communication was maintained. But no sufficient force, either of citizens or constables, could be obtained to enable them to make any effective resistance.

Directions it will be remembered had been given to the mob to stop the mail. They would certainly have effected their purpose upon the mail reaching Hill's Bridge, had not a small party of the 14th come down from the Bath-road, and threatened to charge them. The mail thus guarded passed the bridge and escaped.

Other parties of the mob had engaged to demolish the Lawford's-gate prison. They proceeded accordingly down the Old Market, part of them turned down Gloucester-lane, another part down West-street by Trinity Church to the Prison. They opened the iron gates, and rang violently at the door-bell. The turnkey opened the door and about twenty of them rushed in, collared the turnkey, and demanded his keys. In less than five minutes the governor's house was in a blaze. At this

time none of the prisoners were released ; they were twenty-three, five of whom had come from Gloucester on Friday night. A boy soon made his appearance, and cheering called on the mob to knock off his irons ;—this being done, he ran into the prison and joined the rioters. Two respectably dressed men were very active in giving directions ; one of them is supposed to be the same person who issued the orders at the Cumberland Toll-gates. On the prisoners coming out ironed, there was a general cry for the keeper, and the mob were so infuriated that they threw three of his pigs into the flames. Every part of the prison which could be burnt was soon in a blaze. They proceeded across the road to the New Inn, and a few of them searched the house for the keeper ; they threatened to fire the house, but Clarke stepped forward and without doubt saved the premises. Here they demanded refreshment, which was served to them. They then broke up the parish stocks, and went to the Lock-up-house in Pennywell-lane, broke the door and fastenings, and would have destroyed the place, but it adjoined the poor-house. Some of the ruffians cried “To the New Church ;” but they were told that the Bishop’s Palace must be fired *first*.\*

The three prisons, in different quarters of the city, were all at the same moment sending into the air

\* On their way to Lawford’s Gate Prison, in going down Gloucester-lane, they stopped opposite the premises of a respectable wine and spirit concern, and one of them said, “these are the leaders of the bloody Blues.” After having fired the Prison they returned, broke open the premises, drank a large quantity of spirits, and then called for a light. The proprietors being universally respected, many of their neighbours had come down to their assistance, and on their attempting to fire the premises, came forward, and headed by

their flashes of fire and volumes of smoke, an appalling sight to the inhabitants of the city, now in consternation and dismay. Terror ran from street to street, and the fearful addition of the inmates of goals to the rebel ruffians, created an alarm for the consequences of the approaching night not to be described. The worst was to be feared. The city seemed given up to the lawless insolence and outrage of the most daring villains. It was about half-past six when Lawford's-gate prison was fired.

two active men, drove them off. Gregory, who was afterwards executed for firing a house, was active in this outrage at Lawford's Gate Prison. At the top of the Old Market he addressed the mob, having a large bar in his hand, which he used to direct them. Clarke was also in this riot, and on his way from the prison, called at a druggist's shop in West-street, asked for some money, and produced the keys of the Lawford's Gate Bridewell, and on leaving the shop, said "I am off for the Palace."

## PART X.

## FIRING OF THE BISHOP'S PALACE.

The mob proceeded in *three* divisions to the Bishop's Palace, two from Lawford's-gate, the other from the City Bridewell. It is nearly two miles from Lawford's-gate to College-green, yet the rioters met there—the first party came up Castle-street, through Mary-le-port-street and the Market—this was about half-past seven. Christopher Davis was with them, and when they came near the Cathedral they beat time on the stones with the iron bars with which many of them were armed. Near the Deanery, Davis began to abuse the Bishops, stating, among other things, that it was a shame a Bishop should have £40,000. per annum,\* while so many poor persons were starving.

The entrance gates of the Palace-yard had been closed, but were soon lifted off their hinges. The mob then rushed through the Cloisters to the Palace door, which was forced with a crow bar, and they entered shouting “The King, and no Bishops.” One party rushed into the dining-room—in a minute the sideboard, large glass lamp, and chairs were demolished. They then sent the dining tables into the fire-place, put broken pieces of furniture under the tables, and set them on fire. Another party went into the kitchen, where similar scenes of demolition were enacted—the fire from the

\* The Bishopric of Bristol scarcely exceeds in value 1000*l.* a-year.

kitchen grate was put on the dresser, and a pile of wood placed round it. Up-stairs, the feather-beds were *cut open*, and live cinders placed within. While these operations were in progress, others of the mob were busy in plundering and carrying off whatever was portable.

The Mayor and Magistrates had just returned to the Council-house from the office of Colonel Brereton, when they were informed that the Mansion-house was in the act of being fired: and at nearly the same moment information was received, that the mob, after firing Lawford's gate prison, were returning, with the intention of destroying the Bishop's Palace, and Berkeley-square, where one of the Magistrates resided. The Mayor promptly offered to head a party for the protection of the Mansion-house; but after a short parley as to which of the places *should be defended*, the Magistrates determined upon directing every effort to save the *Palace*, and a messenger was accordingly sent to the stables to order the dragoons to meet them.

About two-thirds of the gentlemen present left the Council-house with three Magistrates, in two divisions. The first party reached the Palace just before the great body of the rioters arrived from Lawford's-gate. Col. Brereton was in College Green with some of the dragoons, and they entered the Cloisters together. On going into the Palace their first business was to put out the fires, which they effected, the soldiers, about sixteen, having formed in two lines, face to face, before the door.

The mob ran in all directions, there being here a conflict. The constables struck some of the incendiary ruffians as they were coming out of the Palace, upon

which Col. B. said, *before the mob*, that if the striking was repeated he would ride the constables down!! Some of the rioters retreated into the garden ; search was made for others, and some heavy blows dealt. Several were found concealed in the house, among them a lad named Warry, who had led the mob to the Gaol. There being no place of security to which they could be sent, they were tied to large casks in the cellar. The second party of gentlemen from the Council-house were divided by the mob ; the constables, however, proceeded ; but at the Deanery they found the approach to the Palace crowded with people. If they had attempted to force their way through this mass, and the dragoons had acted, they would have been equal sufferers with the rioters, for it was not easy in the dark and in a conflict to distinguish friend from foe. Of the party, however, who had succeeded in reaching the Palace, some were in the garden and others in various parts of the Palace, when they heard a great cheering, and it was soon ascertained that the dragoons had deserted them,\*—they had moved away without any notice :—

\* One of the charges against Col. Brereton, on his trial by Court-Martial, embraced this portion of the lamentable occurrences of Sunday evening : “ That about seven or eight o’clock in the evening of the said Sunday, when the Bishop’s Palace in Bristol had been attacked by the rioters, and the Magistrates had thereupon required the attendance of the troops to save the said Palace ; and when, after the said rioters had broken in the gates of the said Palace court, and had also forced the main door of the Palace itself ; he, Lieut.-Col. Brereton, with a detachment of the 3rd dragoon guards, under his immediate and personal command, entered the said Palace court, and formed such detachment within the same ; nevertheless he, the said Lieut.-Colonel, remained in the said Palace court wholly inactive with the said detachment during the commission of various acts of outrage by the rioters, under his own eyes ; he, the said Lieut.-Colonel, refusing or omitting to comply with the application of certain of the Bishop’s servants, as well as of certain constables, and

upon which the mob made a rush to the court-yard. At this time about half the gentlemen were collected ; but few of them having arms wherewith to defend the Palace, it was agreed that they should charge the mob ; this they did with great resolution, and with their staffs gallantly drove an immense mob before them. It was very evident that so small a party could not hope to protect the Palace, or for any length of time their own persons ; some of them separated from the rest, and one going into the Lower Green was knocked down and stabbed in the back. The discharge of his pistol saved his life, and he joined the constables. They were ultimately dispersed by the mob, and many of them were very severely wounded. It cannot occasion surprise if this gallant party, finding themselves not only unprotected by, *but in danger* from the troops, and threatened to be ridden down by them, should be found declaring that they would not again risk their lives. Some of the gentlemen who were at the top of the house and in the garden escaped with great difficulty ; one of them, who had shown great spirit and been very instrumental in saving the Cathedral itself, was long in imminent danger.

other persons there present, to afford them assistance, in order to check the outrages of the rioters, and to save the said Palace and the property therein contained ; and on the contrary thereof he, the said Lieut.-Colonel, gave the most peremptory orders to the said detachment not to use any violence to the rioters, or to that effect ; and passively permitted certain of the rioters returning out of the said Palace, laden with its plunder, to escape, and at the same time released, or caused to be released, certain of the said rioters, who had been apprehended in or about the said Palace, in the act of committing outrages or carrying off plunder, and whom the persons apprehending them had consigned, or offered to consign to the custody of the said detachment."

Had Col. Brereton assisted this resolute party, they would have collected some weapons of defence, and the Palace would have been standing at this moment. But he left them, and without notice, to the mercy of the murderous mob !

A third party of the rioters had passed up Broad-street, in their way to the Palace. They showed a desire to attack the Council-house in passing, but they knew the orders they had received must not be *disobeyed*, and proceeded to the Palace.\*

Having met with some check by the resolute conduct of the little band, the mass of the mob showed some reluctance to attack the Palace again. The Lower Green was filled with their numbers, now amounting to some thousands—still there was a backwardness shown—a party was collected, and Clarke, after a short consultation, left them, and went into the Black Horse public-house with three sovereigns in his hand, which he shewed, crying out “These are the boys for doing the work.” About thirty of the rioters had refreshments, for which they paid, and afterwards returned to the Palace. It is quite clear that money was given to the mob to urge them to outrage.

They *again* entered the Palace in great numbers. The Bishop’s butler, Mr. Jones, and Mr. Phillips, the

\* Opposite the Council-house, the word *wes* given from the front of the mob, to “halt.” Some stones were immediately thrown, and a disposition was evinced to attack that building more vigorously. One of the rioters, however, exclaimed, “To the Palace.” “Where then?” asked another. The reply was, “To give the — Alderman a benefit in Berkeley-square.” This party again halted on St. Augustine’s Back, and a consultation was held whether they should immediately go to Berkeley-square, or first visit the Palace. It was finally settled by a toss—“The Alderman or the Bishop;”—which was declared to be in favor of the Bishop.

Subsacrist,\* (both had shown great presence of mind during these trying scenes) and a few other persons, were driven out of the house, and made their escape through Dr. Hedges' back premises into the Lower Green. The Palace was again fired and was soon in flames, and having in it a great quantity of wood, burnt with astonishing fierceness and rapidity. The great window of the Cathedral alarmingly reflected the awful blaze. The lead, which was very substantial, ran off the roof like water.

While the Palace was burning, the mob kindled a fire in the Chapter-house;† but which, after destroying a considerable number of valuable books and records, and the collegiate seal, was fortunately extinguished, and the building preserved. They next attempted to break through the Cloister doors of the Cathedral, and apprehensions were entertained that that ancient and venerated pile would fall a sacrifice. This would certainly have been the case had it not been for the presence of two or three gentlemen who happened to be near at the moment, and who by their entreaties and expostulations with the most active rioters prevailed on them to desist.

\* At the trial of Thos. Bendall and James Simms, for destroying the Palace, the Lord Chief Justice ordered £10. to be presented to Mr. Jones, as a reward for his spirited conduct in defending the Palace; and the Dean and Chapter have presented Mr. Phillips with a handsome piece of plate, bearing the following inscription:—"The Dean and Chapter of Bristol to their Subsacrist, Mr. William Phillips, in testimony of their approbation of his conduct during the late riots. Dated Feb. 1, 1832."

† While the mob were pillaging the Chapter House, a gentleman ran off for some soldiers; he met about eight men of the 3rd at the Drawbridge, but they refused to go without orders; they were not apparently on duty, and were drinking out of bottles handed them by the mob, with whom they were coqueting, snapping their fingers, and saying "pop, pop." There was apparently the best understanding between them.

Among the books destroyed in the Chapter-room was a large and valuable bible bound in velvet, full of plates, and presented to the Chapter by Bishop Wilson. A sacrilegious ruffian kneelt on the book as he tore out the leaves, and then with horrible execrations threw it into the blazing fire of the Palace. This scoundrel was a member of the Political Union, and when taken had on him the V. P. badge, as constable. (He was transported for life.) The Chapter-room had a stone floor, and the walls being of old Saxon structure, with very little wood about them, they could not well fire it; but as if to mark the attempt, they left there a quantity of combustibles in cakes, of a dark brown colour. This substance was afterwards analysed. It must have taken some days in the preparation.

During this attack, the door-bell of a house in Trinity-street was rung, and on the maid servant opening the door, four men rushed in with a wounded man. They ordered the servant to shut the door, and to get a chair, a light, and some water. The man appeared quite senseless;—after remaining about ten minutes they all went away.

While the mob were at the Palace, a gang took their station at the bottom of Clare-street, near a gas lamp, and made every person going by put down his umbrella, that they might see who it was.

The inhabitants of Trinity-street, soon after the arrival of the rioters, observed a person walking up and down a garden adjoining the Palace. When the mob were beat off he still remained, and on their return, when lights appeared in the windows he was heard conversing with the rioters: "Have you done it?" They answered "Yes." His manner indicated great impatience.

It was about this time, when the Palace was burning, that the Doddington troop arrived in Bristol.

On the Mayor and other Magistrates leaving the Council-house with the greater part of the force, in order to protect the Bishop's Palace, it was agreed that the Council-house should be put in the best state of defence. The Chamberlain obtained some fire-arms and a few swords. It was determined to defend it to the last. All the doors were closed to prevent a surprise, and some of the Magistrates remained to give orders. The messenger who had been sent to Captain Codrington in the morning, having afterwards proceeded to Tetbury for the Yeomanry Corps, on returning passed the Doddington Troop near Sodbury, and immediately on his arrival at Bristol went to the Council-house and enquired for a Magistrate, but not being known to the door-keeper, he could obtain no satisfactory answer. He then went to the College-green, but could gain no information respecting the Magistrates there. Everything appeared in a state of great confusion.

The messenger, who had been for the troops, seeing no chance of finding a Magistrate in the Green, the night being dark and the Palace on fire, returned towards the Council-house. In the way there he met one of the Sheriffs, and informed him he wished to see the Mayor or a Magistrate. They went to the Council-house together: the Sheriff being known, the side door was opened, and one of the Magistrates, to prevent any delay, went himself to the billet master, and gave him an order to prepare billets for the Yeomanry Corps, which was done, and they were signed by the Mayor.

Capt. Codrington arriving at the Exchange, enquired for the Mayor, and shortly afterwards the Under-Sheriff

came up, and accompanied the troop to the office in College-green, where Capt. Codrington enquired for Col. Brereton, and observed to his men "that as they had ridden sixteen miles they had better put up their horses." Lieut. Mc Leroth stepped forward and begged him to wait a moment, and he would try and find Col. Brereton. On his return, he stated that the Colonel was at the Palace, where Captain Codrington went to him. After remaining there some time, the troop accompanied Colonel Brereton towards the stables in College-street, which the Magistrates had engaged for troops in the morning. Mr. Fisher seeing the troops in the street, put lights in the stables. Capt. Codrington and Col. Brereton were engaged for some minutes in conversation, the subject of which has not transpired; but immediately afterwards Capt. Codrington wheeled round with his troop, in the presence of Col. Brereton, and taking the Palace and the Exchange in his way, finally left the city. The Doddington troop consisted of about 40 men, and might have been employed with advantage, had Col. B. given them any orders, but he neither availed himself of their presence nor gave any directions for their employment or detention.\*

\* It is much to be regretted, that, after the great personal exertions used by Capt. Codrington to muster his troop, and the laudable activity which his men displayed in turning out when they heard their services were required, they should, on their arrival in Bristol at a very momentous period of the riots, have been compelled to remain inactive, and even to leave the city. It is no small part of the delinquency that attaches to Col. Brereton that he neglected to avail himself of the assistance of this efficient corps, after their Commanding Officer formally reported his arrival to him, and placed the troop under his military guidance. This breach of his duty constituted the eighth charge against Col. Brereton on the Court Martial, and to which, on the day preceding his suicide, he offered

The circumstances attending the arrival and departure of this Yeomanry Corps have been given in detail, because great blame has been very unjustly thrown upon the Magistrates, on account of an inactivity the cause of which could not rest with them. After Capt. Codrington had reported himself to Col. Brereton, all difficulty should have been over. He had then no more to do with the Magistrates than any other soldiers equally under the command of Col. Brereton. And were not the Magistrates at their posts?—if the Mansion-house were the post of danger they were there;—if the Council-house, some were there likewise. But, however they may be knocked down or dispersed by the rush of determined villains, there are those who are unreasonable enough, without procuring for them the gift of superhuman ability, to demand from them a *miraculous ubiquity*. Nor was there any interval at which the Magistrates were not at their known public posts, excepting it be after they were driven from the Palace to Berkeley-square; and if Berkeley-square was the next object of attack, it was not *to avoid danger* they fixed themselves there. It should be remembered, that the Mayor was separated from the large body of con-

to plead guilty. The charge alluded to was the following:—"For that he, Lieut.-Colonel Brereton, on the arrival in Bristol of the Doddington Troop of Yeomanry Cavalry under the command of Captain Codrington, on the said Sunday evening, which arrived was reported to the said Lieut.-Col. by the said Captain in person, neglected or omitted to avail himself (as in his capacity of Commanding Officer of the Troops in Bristol it was his duty to do) of the services of the said Troop of Yeomanry Cavalry, or even to give any distinct or sufficient orders for retaining the same in the City, although numerous houses and buildings in different parts of the City were then on fire, and although further conflagrations were threatened and expected."

stables on his way to the Palace. He, however, felt it to be his duty to remain near the Green; and knowing that the Mansion-house had been fired, and that the Council-house had been put in a state of defence, he was compelled to go to some private residence. He was refused admittance at two or three houses nearer the scene of destruction than Berkeley-square. Having no quarters left, he went thither, and on his arrival a messenger was sent to the Chamberlain at the Council-house stating where he was to be found, and also a messenger to Col. Brereton to the same effect. Billets were at the same time sent for the Doddington troop to Colonel Brereton. It has been reported that the Mayor ordered the bearer of the letter to Col. Brereton not to say where *he* (the Mayor) was; but the letter itself is the best denial to such a statement:—

“The Mayor of Bristol desires Colonel Brereton to consider himself fully authorised to take whatever steps, and give whatever orders, he, as the military commander of the troops in this city, may think fit, to restore and preserve, as far as possible, the public peace. The Riot Act has been read three times to-day, Col. Brereton will have the goodness to consider this order to apply not only to the troops at present under his command, but to any which may subsequently arrive in the city.

“Mr. Daniel Fripp's, No. 30, Berkeley-square,  
“Sunday night, 12 o'clock, 30th Oct. 1831.”

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“The Mayor of Bristol begs to inform Col. Brereton that if he should have occasion for the orders of a

“ Magistrate, either the Mayor or some other Magistrate  
“ will be found at No. 30, Berkeley-square, Mr. Daniel  
“ Fripp’s, the second house on the right hand on turning  
“ into the Square from Park-street.

“ Berkeley-square, 12 o’clock, Sunday night.  
“ This communication is made to Col. Brereton, in  
“ consequence of Lieutenant M’Leroth calling at the  
“ Council-house, and requesting to see a Magistrate;  
“ Colonel Brereton was gone out when a call was made  
“ at the Staff station to inform him as above.”

## PART XI.

## FIRING OF QUEEN-SQUARE.

The Narrative must now return to Queen-square. After the attack on the Gaol, the Square remained comparatively quiet some hours. There was a mob about the Mansion-house, and although *it was guarded by six of the 3rd dragoons*, there were persons continually and uninterruptedly leaving the cellar loaded with wine. The stock was very large, nearly 400 dozen. But when the other objects of the rioters were accomplished, and they were thereby enabled to send reinforcements to their ruffian "army of observation" in the Square, their further intentions became evident. An attempt was made to set fire to the back of the Mansion-house;—this was communicated to the soldiers, and their aid entreated. It was refused, on the plea that their orders confined them to the *front*.

There was an immense mob in the centre of the Square, as if waiting some signal for action. About four hundred persons immediately round the Mansion-house were now in commotion; four of them were seen going into the cellar under the kitchen. Two hastily returned and called for a light. One went up to a dragoon and spoke to him—there was some parley,—on going away the fellow said, "Well, you will not fire." After waiting some ten minutes for a light, one of the party, (a strong-built bow-legged fellow, about 40 years

of age,) mounted the gas lamp, and lighted his candle. He then went to the cellar, and was joined by two others ; they remained down a short time, and immediately on their coming up, smoke burst forth from the cellar. On the appearance of the smoke the party round the Mansion-house gave a cheer, which was answered by nine-tenths of the people in the Square. They seemed now to exult in the sure accomplishment of their diabolical design ; some rushed into the carriage-way, as near the house as the flames would allow, and with frantic gestures exhibited their extravagant joy. The constables, who were in the Mansion-house, finding it on fire, made their escape. As soon as the flames broke out the mob rushed into the building, and seized and bore away furniture of every description.\*

It was not long before the building was on fire in every floor, and so intent were the ruffians upon their work, that they were even seen at the bed-room windows destroying furniture, after all escape for themselves had been cut off by the very flames they had kindled. In about half an hour the front of the building fell in with a tremendous crash, and from all accounts, at least twenty persons must have been burnt and buried in the ruins. At ten o'clock, Col. Brereton arrived with a detachment of the 3rd dragoons. During the burning of the building the troops walked their horses quietly

\* There was such precision and management among these robbers and ruffians, that there was no confusion in their plundering, no quarrel for the spoil, but it was *liberally* entrusted to each other's hands, as if on some systematic plan. So well-directed were their efforts, that a new grand piano-forte, which required six men to carry, was conveyed to Back-street, and sold to a gentleman for a trifle, who had followed for the sake of its preservation, and removed it to a place of security. It was returned to the Mayor uninjured.

along the Square, wrapped up in their cloaks, to protect them from the drizzling rain that now fell, and used no exertion. After remaining about ten minutes or a quarter of an hour, Col. Brereton marched them all off, and *from that time to the following morning not a soldier was ordered to the Square, or the slightest effort made by his Majesty's troops to check the destruction of public or private property.* To use the words of Sir Charles Dalbiac, "at this awful period of Sunday night, at a time when the city seemed to be threatened with total destruction, Col. Brereton thought fit to retire to his quarters, and to his bed!"

The pictures at the Mansion-house were saved by the presence of mind of an individual. They consisted of portraits,—of the Earl of Pembroke, as Lord High Steward, by Vandyke, an extremely valuable picture; Duke of Portland, by Sir Thomas Lawrence; Dunning, Lord Ashburton; Sir Vicary Gibbs; an admirable portrait of Edmund Burke; one of George the Third, by Bird; and others. These were cut out of their frames and rolled up. Mr. Henry Smith rescued one of the state swords, and it was lodged in safety at his house, which was indeed the dépôt for an immense quantity of goods saved from the flames, and from the houses of those who expected to be attacked. Mr. Burroughs, of Clifton, and other spirited gentlemen, were fortunate enough to carry off, concealed in the trunks and boxes of some female servants, a quantity of money and other valuables, through the centre of the rioters, being allowed to pass unmolested.

The rioters, infuriated with success, not now "irritated by constables," but in their best "humour," rushed into

the private dwelling-houses adjoining; that nothing might be spared, they forced open the doors, broke the windows, threw out the furniture and valuables into the street, ransacked, and fired the houses one after the other, and hastened the demon-work by means of trains of turpentine and other combustibles. In several instances they broke through the dividing walls, and many of the infuriate and insensate mob perished in the flames. All attempts to save property were now unavailing; if the inhabitants could escape with their lives they considered themselves fortunate. Women, helpless children, naked, homeless, terrified, left the dreadful spot. At about the centre house between the Mansion-house and the Custom-house, a party of gentlemen had determined to defend the property, but the rioters entered from the roof of the adjoining house, and fired every room, and the party were compelled to retreat from the double danger. The rebel rioters were now divided into parties, each having its apportioned work. At the head of one was a man with a watchman's rattle, (he was one of those who had come from Bath in a chaise on Saturday.) Another had a bell. The plan appeared to be, that on attacking a house the rattle was sprung, when the persons belonging to the particular gang assembled in front. A division who committed no violence, but who examined the rooms for plate and valuables, first entered. They were followed by another, who removed the furniture into the Square; then the firemen, accompanied by boys with torches. The house was fired either with an inflammable liquid, composition balls, or an ignitable paste smeared upon the walls. The goods were taken out of the house by one set, and

removed away by another ; these carriers were mostly Irish. The gangs were arranged and their labours timed. About every fifth house *the turn* came round again to the rattle. The fury of the flames will be conjectured, when it is stated that the cellars of most of these houses were rented as wine vaults, or for the holding of bonded spirits, which tended materially to aid the conflagration.

The fire was approaching the Custom-house, when at a quarter before twelve o'clock a fellow came, and gave notice to "move out." There were more than fifty of the officers of the Customs assembled there, who, when they found the houses fired one after another, thought it prudent to remove the books and more valuable papers, as also the plate, pictures, and other property, which had been sent from the Mansion-house. About this work of preservation the officers were very busily engaged when the notice was given. They still believed the building would not be fired, and it was arranged that no person should be admitted, and that when the mob came, the Custom-house officers should all be called down. These orders were obeyed—the rioters came, and one of the officers addressed them : "This is the King's house, that good King ;" but was here interrupted by one of the mob-leaders, who exclaimed—"D—n the King,—go it ;" and in a minute the hall was full. The rush up stairs was very great, and the mob soon occupied every room in the house ; yet there was no confusion among them, each division having their allotted work. While some were breaking open the desks, others were nailing up linen, smeared over with a kind of paste, which they carried in tin

kettles. The window frames and large doors were served in the same way, and in five minutes the long room was in a blaze—at the same time others fired the lower offices. The upper rooms were filled with rioters, and many were on the roof, the mob from the adjoining house having escaped that way. The Custom-house officers were extremely active, and with the aid of soldiers would have defended the building, but the mob came with an overwhelming force,\* and the certain danger of the fire that was raging around them afforded little room to hope for security to themselves or the house from further resistance, and they were fortunate in being able to escape the fury of the conflagration, which in a short

\* It has been so often said, and insisted upon, in reprobation of the Authorities, that a dozen men would have prevented firing the Square, that it is worth while for a moment to direct attention to the fact, that here were fifty men collected, and willing to defend the Custom-house, yet were utterly inadequate to the task. Eye witnesses have declared that not 100 soldiers would have preserved the building. The mob were infuriate, without fear, prepared for every outrage, and in immense, organized force. And if at any time so few as twelve men, or fifty, would have been able to preserve the city,—why could not the very parties, who now make the assertion, provide the means? For they will not pretend to say that the Citizens were then so ill-disposed, that so small a number could not be provided. And it may be asked,—what did the thousands of spectators do? In the pamphlet published by Mr. Manchee, a singular statement is made, and a motive ascribed, to account for the non-interference of the spectators, at least as far as it relates to the destruction of the Mansion-house:—

“ If the Mayor had presided at the last Reform Meeting, he would have been popular with the people, and they would have attended to his advice; but he had not attended, and the *Reformers* would pay no attention.”

Mr. Somerton, on this point, states—“ Up to the present moment, the Palace, three Gaols, and the Mansion-house, being on fire, the mob had been solely employed in the destruction of public buildings, and it would seem, from the non-interference of the *thousands*, who had no share in the transaction, otherwise than as spectators, that till this time, their proceedings had been viewed with no very general feeling of dissatisfaction. A thrill of horror, however, ran through

time became truly terrific. It is supposed that not less than fifty of the rioters fell victims to the flames they had kindled in the Custom-house alone. To mention one instance only which occurred there—a large party of the mob sat down to supper in the housekeeper's room, and were all burnt to death! Three dropt off from the top, one of whom fell into the liquid lead on the roof of the portico, which was boiling and glowing with the intense heat, where he lay writhing in torture, uttering dreadful yells and groans, until life was extinct.—Another of them was horribly bruised by falling on the stones; and just before he died he exclaimed to a gentleman who ran up to him, “Oh that I had taken my wife's advice!—that I had *never come to Bristol!*—but I was persuaded and sent for.” On the roof falling, a person came through one of the end windows and fell into the street; he was dreadfully burnt; but a party of the rioters carried the body to the Royal Oak, in Prince's-street, threatening to burn the house if the door was not opened; this demand, after some time, was complied with, and they gave the mangled remains in charge of the landlord, saying they would call for it next morning.

Having destroyed the Custom-house, the mob crossed a street, called the Middle Avenue, which separated that

the multitude, as soon as it became evident the rioters were firing the adjoining private houses.” What! was there a thrill of horror only then—and none at the destruction of public property, and that because they were Reformers displeased with the Mayor, for declining to attend one Reform Meeting!! If these statements be true, the Reformers appear in the character of applauding spectators, if not actors—and in the secret that *public* buildings were to be burnt. It need not be asked why the Magistrates and Constables were unable to suppress the riots.

building from the remaining section of the North side of the Square, and pursued, in the manner already described, their demon labours. The inhabitants were ordered, and short notice given for the purpose, to quit their houses, which were then instantly plundered and burned. The same arrangements and prepared means before described were used,—the same signals,—the same results.

Some of the incendiaries, apparently not more than 15 or 16 years of age, when their retreat from the attic-floor of one of the houses had been cut off, and whilst the flames were bursting out beneath them, coolly clambered along a coping, projecting not more than twelve inches, and entering an adjoining house, immediately set fire to the bedsteads and furniture; while many of the elder ruffians gave themselves wholly up to drinking and revelling in the scene around them.

Having swept one whole side (the North) of the Square, the rioters proceeded to the Western, commencing with the Excise-Office, at the corner.\* Thus the Custom-house, Excise-office, Customs' Bonding-warehouse, and houses on two sides of the Square, successively fell a prey to the flames, and presented at the same moment an awful spectacle. The quantity of spirits in the cellars greatly heightened the terrific effect, flowing in rivers of burning liquid. Two houses on

\* A fellow came to the house and demanded a shilling; at the same time the mob had broken into the side door, and the house was soon in flames. Clarke was very active here. Soon after this was fired one of the rioters proposed to go to Messrs. ——, where one of the Magistrates had a quantity of sugar. He was answered, "we will take it in its turn."

the Western side alone remained, of two whole sides of the Square. It appears that the inmates of these, profiting by the notice given at other houses, had removed all their furniture. The mob however, fired the premises, but as they had not the means of destruction, elsewhere at their command, of making a blaze by the aid of light furniture and drapery, the fire was extinguished by the activity of the inhabitants.

At the house of Mr. Strong, a man got out from one of the drawing-room windows, and seating himself, continued cheering the mob, shouting "The King and Reform." The house was on fire at the time, and the flames soon burst out of the window. The fellow, overcome by the smoke, fell off, and was impaled on the iron spikes on the court wall, where he remained some time, an object of mirth to the mob. He was at length released by some of the lookers on, but was severely injured. At Miss James's house a great quantity of combustible matter was used. Kayes (who was executed) was very active here; he was seen to throw a preparation in powder on the shelves in the kitchen, and was applied to by a lad for some of this composition, which he gave him.

Amid the crash of falling houses, the roar of flames, the volumes of smoke, the frantic gestures of ruffians brandishing and hurling their glaring fire-brands, plundering, shouting, and blaspheming, with walls, roofs, beams, and rafters falling around them; in the centre of the Square, by the equestrian statue of William the Third, surmounted with a cap of liberty, were costly tables spread, and the revel of a plundered feast, with yell and imprecation, and wine and blood, was held

to celebrate this first Sabbath of Reform—of Revolution.\* This was a night of suffering not to be described, what with the agonizing fears of the infirm, the sick, the helpless, the aged, the tender, the delicate,†—the general alarm throughout the city, from the scenes of devastation to the more lonely streets,—the horrors

\* Of the scenes of brutality that disgraced the area of the Square, it is impossible to conceive any thing like an adequate idea; and here we sicken at the reflection that, in very many instances, the conduct of the females was marked, if possible, by even greater depravity than that which was observable in the males. The obscenity of conduct and language was revolting to every feeling of decency, and outraged even the remotest resemblance to civilized society. In addition to the large stock of wines at the Mansion House, the stores in the cellars beneath the burning buildings contained an abundant supply to keep up the already too much excited feelings of the mob. Ardent spirits, also, were now circulating in profusion; and these, together with the former, were pillaged and given away, or sold at whatever price purchasers could be found. In various places were to be seen fellows beside heaps of goods which they were putting up at auction. Among other articles, an excellent mahogany chair was put up for a shilling, the ruffian exclaiming, “will nobody bid a tizzy?” and, failing to obtain an offer, he immediately dashed it to atoms. In places adjacent, also, such scenes were by no means uncommon. In King-street, a fellow had a considerable quantity of furniture piled up in front of one of the houses at the moment when he was putting up a lot, a tea-tray and a metal tea-pot, which he was offering at half-a-crown. In the Square, one of the heartless wretches offered what appeared a beautiful silver tea-pot, for a shilling; and prime feather beds, mahogany tables, and, in short, a variety of the most valuable and costly articles of furniture, were offered at the same rate. Two fellows rushed out from one of the houses, the one having in his hand the greater part of a cold leg of mutton; and the one enquired of the other if he had any bread; on being answered in the affirmative, they proceeded to seat themselves on the grass, swearing at the same time most awfully, and saying they would have a — meal. At one spot, three of the incendiaries, who seemed exhausted with their fatigues, were joined by two females, and seating themselves in chairs, the whole group gave themselves up for awhile to refreshment. Whilst they were eating, and drinking wine, each one from a separate bottle, they revelled in delight at the scene before them.

† When a lady fainted away, on hearing the crash of the windows which announced the approach of the incendiaries, the ruffians ordered a gentleman who was carrying her off, to let her stay and be burnt.

anticipated from this "reign of terror," the prowling bands of thieves, the outpouring of goals, the daring avowal of horrid purpose, the repeated acts of intimidation\*—the curses, insults of drunken maniacs, the howling of savages bursting into the haunts of peace, of demons into the habitations of domestic quiet,—the sacrilege, the plunder, the threats of fire, of torture, and death ;—these are things that defy language ; these are the horrors which characterised the second of the Three Days of the Bristol riots.

Before the night had set in, some hundreds of persons in Bristol and the parishes adjoining received either letters that the mob intended burning their premises, or some one called stating that he had heard the mob say that after burning the Palace, or wherever they then were, they intended visiting such and such identical house or premises at which this notice was given. The houses of Anti-Reformers were principally thus threatened ; but in the city nearly all the large manufactories and warehouses received notices. The effect was this—instead of collecting with the view of putting down the general riots, every person was kept at home to preserve his own property.† His books and papers

\* While the fires were raging, four of the rioters arrived at the Bank Tavern, in St. John-street, and ordered Mr. Merry to open the doors, and give them liquor, or they would set his house on fire. "D—n you," was their language, "give us some gin ! Look at the fires blazing, there shall soon be more of them." Mr. Merry was obliged to comply, after they had dashed in the window over the door ; and the four men actually drank three pints of raw spirits.

† Some few of the leading Reformers, who considered themselves secure, tendered their protection to their neighbours, offering their homes as places of safety for valuable property. One of these, having made such friendly offer, was reminded that he had not been long an inhabitant of his present house, and that the *last* occupier was an Anti-Reformer. In an instant the boasted security was changed to alarm and confusion.

were moved, and his premises put in a state of defence. At some of the manufactories the steam-engines were charged, to play boiling water on the mob in case the premises should be attacked ; at other places, paving stones and bricks were collected on the roofs.

Although the whole of the engines in the city would have been insufficient to arrest the progress of the flames, the firemen belonging to the Insurance Offices were on the alert,\* and prepared to make the attempt ; but so determined were the incendiary ruffians to complete their allotted work, that they prevented the engines from approaching the scene of devastation, and threatened the firemen with destruction if they persisted.

Never was the dawn of day looked for with more intense anxiety.

\* In the afternoon, when the Bridewell was fired, the firemen were deterred by the mob from reaching the stations where the engines were kept.

## PART XII.

## EVENTS OF THE THIRD DAY.—MILITARY OPERATIONS AND SUPPRESSION OF THE RIOTS.

Before day break on Monday the principal roads to the city were filled with country people, in parties of tens and twenties, most of them armed with short bludgeons.\* On the Kingswood road they were in great numbers.† The turnpike-gates and churches seemed particular objects of their hatred—at the Fire-Engine-gate nine-tenths of the fellows threatened that they would burn the house on their return, and that every church should be levelled.

On the Stapleton road among the numbers flocking in were a great many North country men, engaged in cutting the intended rail-way from Rodway-hill to Bristol. The Bedminster, Wells,‡ and Bath roads contributed towards filling the city. In the mean time, in the parishes of St. James, St. Paul, St. Philip and Jacob, and St. George, parties of from ten to twenty went from house to house demanding money, and where none was to be obtained, took some other plunder, and beat in the windows.

\* They have been not inaptly compared to a horde of “wreckers” on the way to pillage a stranded vessel.

† It is due to a very numerous well-behaved body of men,—the Coal Miners of Kingswood,—to state, that in no instance did they leave their work, nor were they in any way concerned in the riots.

‡ Some travellers found a difficulty in passing, and were generally told—“well, you shall pass this time, but you have *rode* long enough, it will be our turn soon.”

At three o'clock on Monday morning, the Mayor, who was still at Mr. Fripp's, in Berkeley-square, wrote and dispatched the following letter:—

“Bristol, three o'clock Monday morning,  
31st October, 1831.

“Sir,—I direct you, as Commanding Officer of his Majesty's troops, to take the most vigorous, effective, and decisive measures in your power to quell the existing riot, and prevent further destruction of property.

“I am, &c.

“CHARLES PINNEY.”

This letter was addressed to “Col. Brereton, or the Officer commanding his Majesty's troops.” It was delivered to Capt. Warrington, at Leigh's bazaar, by Mr. S. O. Goldney. Captain Warrington hesitated about opening it, but having at length done so, he observed that he could do nothing without a Magistrate, and should require one to go every inch of the road at his side. He added, that “there was a great screw loose somewhere.”

In the course of an hour afterwards, Mr. Alderman Camplin, accompanied by three or four gentlemen, went to Captain Warrington's quarters, stated to him the situation of the Square, and, on his authority, as one of the City Magistrates, required military assistance. Captain Warrington said the horses and men were all tired, nor would he allow them to go unaccompanied by a Magistrate; and further, that the troops should not fire. In the course of the conversation, he said he had received a letter from the Mayor, but could not find Col. Brereton, to whom it was addressed. The Alderman expressed his readiness to accompany the twenty-

five men of the 3rd dragoons, which Capt. Warrington said were all he could send, but the order of Colonel Brereton for their turning out must first be obtained. Captain Warrington, at the request of the Magistrate, accompanied him to the Military Office, to obtain the required order. *The office was shut up*; but recollecting that Lieut. Francis, of the Recruiting Staff, resided in Unity-street, they went there. The Colonel *was there, in bed.*\* Upon being roused, he resisted the calling out "the jaded troops," as he termed them, "for what could they do against such a mob?" He was, however, so strongly urged, that at length he consented to order them out.

The Magistrate collected about fifteen gentlemen, and after some time the troops came down to the foot of the Green; the clock struck five as they entered Prince's-street, where they found a mob of about 6 or 700 in front of a warehouse which was in flames. These they charged through. The gentlemen and Magistrate reached Queen-square by Farr's-lane avenue, at the same time the troops were entering. The mob cheered the soldiers, shouting "The King and Reform."

Part of the rioters had withdrawn on hearing that the soldiers were advancing; others of them, rendered confident by their past impunity, remained before Mr. Claxton's house, while a third party were engaged in

\* The Mayor of Bath being informed that the 14th were at Keynsham, sent a gentleman to Capt. Gage. On enquiry at Keynsham, he found the 14th were still under the orders of Colonel Brereton, and was referred to him. On arriving in Bristol, he was directed from the head-quarters to Mr. Francis's, and was shown into a bedroom, where he found Col. Brereton in bed. On communicating his letter, the Colonel asked him, "Are the riots still going on,—are they still burning?"

battering the adjoining house. The troops formed two deep in front of Mr. Claxton's. Col. Brereton, however, seemed to have much reluctance to act at all, and in the hearing of the incendiaries, who crowded round, cheering and holding up their bottles of liquor to the soldiers, expressed his opinion that nothing effectual could be done; but Mr. Henry Smith assured Mr. Alderman Camplin, and the few other gentlemen who were present, that having been on or near the spot during the whole night, and being consequently aware of the scanty number of the remaining incendiaries, he would stake his existence upon the certainty of checking the further progress of the conflagration, by the trifling effort of clearing Mr. Claxton's house of the few plunderers within it; after which no other measures would be requisite than those of keeping the street and courts clear in front of the houses upon the South side of the Square. After some further consultation, Mr. Smith urged the soldiers to do their duty, and stated that the citizens present would support them. About a dozen gentlemen then entered, and found the house on fire in every floor.\* The rioters retreated to the top room and fought desperately, but were overpowered. One of them jumped out of the window, some over the bannisters. The fire was extinguished without much difficulty.†

\* On inspecting the house, it was found almost all the property had been stolen. One of the front bed-rooms, it was evident, had been fired by a ball thrown in at the window. The door of one of the garrets was found fastened, and was with difficulty forced open, when a man and a woman within knocked down the two first persons who entered the room. The man was soon disposed of, but the woman was most furious and with great difficulty overcome.

† If the mob had fired the East side of the Square, the effects would have been dreadful, as a very large quantity of brimstone was stored at the back of one of the houses. Had this been ignited, to what extent might not suffocation have reached !

Major Mackworth, Aid-de-Camp to Lord Hill, reached the Square about six o'clock, and joined Col. Brereton and the 3rd dragoons. At this time the mob had separated into parties of twenty or thirty in different parts of the Square, and many were busily engaged in plundering the cellars. The soldiers succeeded in dispersing them. Upon one of these occasions, a dragoon was wounded by a shot fired from the mob.

About seven o'clock, Major Mackworth rode to Keynsham for the 14th, who showed great alacrity in returning to a city from which it was boasted the mob had driven them. They were joined on their road by a party of the Bedminster yeomanry, under the command of Capt. Shute. The troop proceeded to Fisher's stables to feed. By this time a marked change had been produced in public feeling;—the troops which had been treated with every mark of *popular* indignity, and were finally sent away in obedience to *popular* dictation, were received on their return with cheering as deliverers.

It has been already mentioned, that expresses had been sent to various stations for troops. At two o'clock in the morning the messenger reached Gloucester, where, it appears, reports had been circulated that the 14th had been driven out of the city by the mob, and that the rioters were in complete possession of the town. Very few of the privates had their clothes off; before the express arrived, their only wish was to be ordered to the support of their brave comrades under the command of Captain Gage.

Major Beckwith, their commanding officer, immediately put Captain Congreve's troop in motion, and himself posted off for Bristol, where he arrived about seven o'clock. He proceeded at once to the

Council-house, and received a confirmation of the report that the squadron of the 14th had been sent away, and the city had been throughout the night the scene of unresisted riot and conflagration. Major Beckwith then urged the necessity of a Magistrate accompanying him on horseback, and expressed his confidence in being able to restore order. He was informed that there would be some difficulty in getting a Magistrate to charge with a troop of dragoons; that the Mayor and senior Aldermen\* might well excuse themselves from so arduous a duty; and that a junior Magistrate would hesitate ere he undertook so serious a responsibility; but the Major was assured that wherever the presence of a Magistrate was required, one or more would be in readiness to afford the necessary authority and responsibility. After some further conversation the Major left the Council-house to reconnoitre the state of the mob, and to ascertain if any means had been adopted by them for the purpose of impeding the operations of the troops. On his return, he required and received a written authority† to employ whatever means he might judge necessary for the restoration of order.

\*One of the Magistrates having on this occasion stated that he had not been on horseback for twelve years, even this trifling circumstance has been made the most of, and maliciously circulated as the reply of all. It is well known, that several of the Magistrates are in the constant habit of riding into the city every day. The Alderman who made the observation alluded to, had just returned from the Square, where he had accompanied the 3rd dragoons, and had been active in resisting the mob; sufficient proof this, that he was not desirous of avoiding personal conflict with them.

† At the Court Martial on Captain Warrington, Major Beckwith admitted that at the time when he requested written instructions for his guidance, he was not aware of the letter of the Mayor, dated at 3, A. M. on Monday morning, directing the officer commanding his Majesty's troops to take the most vigorous, effective, and decisive measures in his power to quell the existing riots.

The period was now arrived when, for the first time, a determined resistance was to be made to the savage progress of the ruffian horde; for though the return of daylight, and a demonstration of deep indignation which the events of the two preceding days could not fail to have excited in the minds of well-disposed citizens, had produced a temporary cessation of mob-violence, they had been too much emboldened by their revolutionary success to leave any part of their work unfinished, as long as they were unopposed by an organised force, backed with an unyielding soldiery.

Major Beckwith, for the purpose of executing the important commission entrusted to him, proceeded to Fisher's stables, to order out the troops. He had scarcely entered, when intelligence was received from the ruins of the Bishop's Palace, that a body of the rioters had beaten off the persons left to protect the contents of the cellars, and were carrying off the wines. The troops were accordingly ordered to the Palace-yard, where the mob felt the effects of the sabres, and were soon dispersed. At this moment a demand for military aid arrived from the Square, where the mob were actively carrying on the work of plunder. The Major, having left a guard at the Palace, marched his division to Queen-square.

On entering by the Excise Office-avenue, the 14th spread across the Square, and headed by the gallant Major and Capts. Gage and Musgrave, they singled out the rioters with much discernment, and dispersed the mob; about ten or twelve were cut down round the statue of William 3rd. The troops followed the mob to the Back, and although not absent many minutes from the

Square, the killed and wounded were in the mean time all carried off. They charged in separate parties down the Back, through the Square, and along the Grove into Prince's-street. Major Beckwith had a very narrow escape, at the head of five dragoons. A fellow threw a wine bottle with all his force. The scoundrel was instantly charged by two dragoons; he took refuge in a court, but was followed by a dismounted dragoon who cut him down.\* A strong party of rioters had assembled near the Excise-avenue, and on the coming up of the dragoons attacked the constables posted across King-street, with a view of forcing a passage; but the constables kept their ground, and many of the rioters were cut down.† While the dragoons were in Prince's-street, a large body of country fellows came down from Bathurst Basin, having overpowered the constables at the Bedminster Bridge. On some soldiers coming up, the constables, several of whom were much cut and wounded, rallied, and from that time held possession of the Bridge, and prevented any of the mob from the West entering the city.

A party of the 14th charged up the Back. On the mob reaching the steps by St. Nicholas' Church, they began to pelt, as in a place of security; but to their astonishment, one of the officers galloped up the steps into the Market and pursued some fellows into a shop. At the end of Marsh-street, a man who attempted to catch at the bridle of one of the dragoons, had his head completely severed from his shoulders. The troops then charged up Clare-street, Corn-street, Wine-street,

\* He was sent to the Infirmary, and recovered.

† One man had a cut which took off his nose and his upper lip.

Peter-street, and Castle-street. In the latter the mob were still in great numbers, and very riotous, and a large body of them turned into Castle-green with an intention of again assembling in Queen-square. A party of dragoons rode up Cock and Bottle-lane, charged them, and thus defeated their plan. They ran in all directions.\* A very powerful man at the end of Castle-street had been actively cheering the mob, urging them to keep their ground, at the same time pelting the troops; he was singled out by a private, who with a back-handed blow cut off his head. This helped to intimidate the mob, who were by this time quite subdued,—not a word was said about firing turnpike-houses or pulling down churches, which they had threatened should be the next step in the march of revolution.

It is impossible to speak in too high terms of the exemplary conduct of the troops engaged in this arduous but necessary duty. Their operations were decisive; for in less than an hour the city was delivered from the dominion of as desperate a mob as ever aided the projects of pretended patriots,—of real revolutionists.

In order to render the operations of the troops effectual, the aid of the citizens was indispensably necessary; and to ensure an union of effort, the Sheriffs had, early in the morning, appointed a Deputy in each of the twelve Wards, with powers to call out the *posse comitatus*. These gentlemen accordingly proceeded from house to house, and in the King's name called on the inhabitants to repair to their respective parish churches, to be enrolled. About five thousand

\* One of the soldiers broke two swords, and not having a chance of a third, used his scabbard, and did good execution with it.

promptly obeyed the call, and were each provided with short staff, and a badge,\* to distinguish them from the mob.† The naval and military pensioners, to the number of about two hundred and fifty, were also called out, and Captain Cooke, of the North Gloucester Militia, very handsomely volunteered to organise and command them.‡ This combined force, sufficiently numerous to be of most essential service, were stationed in different parts of the city, with instructions, immediately as the soldiery had charged through any street and dispersed the groups of the disaffected, who were lurking in all directions, to guard the avenues, and prevent their re-assembling. This duty was effectually performed, and with the utmost regularity. Parties of constables were also posted at the different avenues in the neighbourhood of Queen-square, for the like purpose. The Magistrates suggested the propriety of every one, not engaged in assisting the military, keeping within doors, at the risk of being exposed to imminent peril; for as the shops and warehouses were shut, and business wholly suspended, there was no excuse for any individual being found in the streets, unless employed as a special constable, in which character he was easily recognised by the military, from the linen badge. The assertion, therefore, that “respectable persons walking the streets

\* A strip of white linen, tied round the arm.

† About ten o'clock the Political Union assembled on the Exchange; their numbers were very scanty, and their appearance by no means such as would become “National Guards;” nor does it appear to what quarter of the city they afterwards removed.

‡ A charge has been made against the Mayor for not having earlier called out the Pensioners, as recommended by Major Mackworth. The recommendation was nothing more than an incidental mention of it at a dinner party the day before the Recorder entered the city. It was made neither at a time or place to give it importance.

on business," and "sober and industrious men going to their work, were seriously wounded,"—is mere fiction—an ebullition of radical spleen.

Having effectually cleared the streets and the Square, and placed the city in a state of security, in care of the *posse comitatus*, the troops retired to their quarters, with the exception of patrols, who were despatched in every direction to scour the vicinity of the city. One of these, having returned about three o'clock in the afternoon, reported that the rabble, driven from the city by the cavalry, were robbing people and plundering houses on the Bath road. The men were again immediately mounted, and Captain Congreve's troop having been left, with the troop of the 8rd dragoons, on the bridge, the remaining squadron proceeded at a quick pace along the Bath road. It came up with the rioters about four miles from Bristol, instantly dispersed them, and captured some, who were lodged in the Council-house. By this movement tranquillity was restored to the neighbourhood, as it had previously, by similar means, been secured to the city, which avows itself to be under the deepest obligations to the 14th and their active and intelligent commander.

The streets were patrolled\* by strong bodies of the citizens during the day, and presented, in conjunction with the military, such a formidable appearance, that not a rioter was seen, nor was there, throughout the city, any further outrage.

\* The inhabitants of St. Mary Redcliff and St. Thomas had patrolled the streets during the preceding night, and stopt a great quantity of plundered goods.

To repel any attack which might have been planned against the shipping in the port, the crews were mustered, and so exasperated were they against the proceedings of the mob, that had such an attempt been made, the rioters would have met with a *warm* and unequivocal reception.

In the course of the day the following placard was issued by the Magistrates :—

“ Council-house, Bristol, Oct. 31, 1831.

“ The Posse Comitatus of this city and county having “ been called out to act in conjunction with the military, “ to endeavour to restore the peace of the city ; and as “ the most severe measures must be adopted to accom- “ plish that object, the Magistrates earnestly caution all “ persons, not engaged in official duties as constables, “ to keep within their respective dwellings, as they will “ otherwise be exposed to the most imminent peril.

“ C. PINNEY, Mayor.”

In order to counteract an attempt, which it was apprehended might be made by the rioters, to cut off the gas, and throw the city into darkness, the Magistrates issued the following notice :—

“ Bristol, October 31, 1831.

“ It will be of the utmost importance that the inhabi- “ tants should place lights in the windows of their “ respective houses as soon as it becomes dusk ; and the “ Magistrates again earnestly entreat that all persons “ will strictly confine themselves within their respective “ dwellings. “ C. PINNEY, Mayor.”

The suggestion was very generally adopted ; and the intention, if it had been entertained, was not carried into effect.

At various hours during the day troops were pouring into the city. When those under Capt. Congreve (they arrived in Bristol about twelve o'clock) reached Horfield, on their way from Gloucester, they observed the road crowded with fellows, who instantly took to the fields right and left, and ran in every direction. These were a part of the rioters who had left the city in consequence of the charge of Major Beckwith, and who, probably, thought the 14th dragoons had left Bristol by another road, with a view of intercepting them. Captain Wilkins arrived about eleven with the Bath Troop of North Somerset Yeomanry Cavalry. When he received an express from Bristol on Sunday afternoon, he immediately rode into Bath. On his going to head quarters, the White Hart, the mob broke into the house, dashing in the doors and windows, and did considerable damage; in consequence of which serious riots were apprehended in Bath, and the Magistrates were obliged to keep the troops during the night. This attempt of the Bath mob to prevent the soldiers going to Bristol, to interfere with the mob there, shows clearly that they acted in union.\*

\* At Bath, therefore, as well as at Newport, there was evidently among the mob a kindred feeling to that which was so actively in operation at Bristol. The following account of the out-breaking in the neighbouring city is extracted from the *Bath Chronicle* of the 3d November:—

“ In consequence of the dreadful state of affairs in Bristol, the aid of the Bath Troop of North Somerset Yeomanry had been requested in the first mentioned city. Captain Wilkins, of Twerton, the Commander of the Troop, having gone into the city in regimentals to assemble his men, was followed by some low characters, *who expressed their disapprobation of the troops going to Bristol, for their intended purpose.* Capt. Wilkins then went to the White Hart, whither he was followed by an increasing mob, who greeted him with all kinds of opprobrious execrations. *It was in vain that he attempted to conciliate the populace by telling them that he was a Reformer,*

Part of the Bedminster troop of North Somerset Yeomanry were under arms on Sunday, and (as has

that he was compelled, as a matter of duty, to go to Bristol ;—they insisted that he should not go thither, and on his refusing to accede to their wishes, they began to show symptoms of more serious mischief. Some of the more daring among the mob endeavoured to follow him into the White Hart, and the doors of that establishment having been shut, an attack was immediately made upon the windows, which were demolished without mercy. Intelligence was of course immediately sent to the proper authorities. The exertions however of the police officers were sufficiently required at the Guildhall, which was seriously threatened with attack by *large bodies of vagabonds*, who had assembled in front of the building, and amused themselves by occasionally breaking the windows of the Hall. As it of course required adequate notice to get a sufficient force of special constables together, the blackguards in front of the White Hart had sufficient opportunity to glut their appetite for destruction. Not satisfied with breaking the windows, at about 8 o'clock a number of the mob proceeded to a fagot-pile in the Upper Bristol Road, and possessed themselves of formidable bludgeons, with which they returned to the scene of their former outrage, and demolishing the shutters of several of the lower windows, some of them effected an entrance into the premises. Here, however, they met with a warmer reception than they had calculated upon; and they were obliged to make a precipitate retreat.—During the attack upon the premises Captain Wilkins disengaged himself from his uniform, and adopting the prudent step of disguising himself, left the house by the back door. A gentleman then appeared on the balcony in front of the hotel, and told the crowd that the Captain had left the house; but the intelligence was disbelieved, and the mob in return for his information, insulted him with a shower of stones, which induced him to seek his own safety by a speedy retirement into the house. By this time, however, the Magistrates had sworn in about 300 special constables, who immediately began parading the streets, and soon took many of the rioters into custody.—Tranquillity was soon in great measure restored, though the streets were not properly clear till nearly two o'clock in the morning.

“On Monday morning the civic authorities took efficient steps to prevent the recurrence of the disturbance of the preceding night. Large numbers of special constables were enrolled in the early part of the day; and at 3 o'clock in the afternoon a Meeting was held at the Guildhall for the purpose of concerting measures for preserving the public peace.—The worthy and respected Mayor, George Kitson, Esq. addressed the Meeting in a bold, manly, and energetic manner, and after deprecating the outrages of Sunday night, proceeded to suggest a plan for the future preservation of the peace, which after some observations from the gentlemen present, was adopted.”

been already stated) joined the 14th on Monday. They were ordered to patrol between Prince's-street-bridge and the new prison. The Yeomanry being pelted by a party of rioters who occupied a narrow passage near the Bathurst Hotel, one of the troop immediately galloped into the passage, seized a rioter in each hand, and backed his horse out, dragging his prisoners with him from their place of fancied security. Captain Shute was witness of this transaction, which would have done credit to a veteran soldier, and to mark his approbation of the conduct of the private, he presented him, on the following day, with a handsome sword.

Capt. Escourt, with the Tetbury troop, arrived in Bristol about twelve o'clock, having left Tetbury at an early hour. They were ordered to St. James's Barton, and remained under arms all night. Their arrival enabled the Magistrates to guard that approach to the city, and to keep quiet that populous district.

Captains Tugwell and Lock's troops of the North Wilts, &c. arrived before dark. Col. Horner with two more troops of the Somerset Yeomanry arrived, and a troop from Wells. These, after feeding their horses, were ordered part to Queen-square and the remainder to the Old Market. The citizens are under great obligations to the Lord Lieutenant of the County of Somerset. An officer of Yeomanry, of which the Marquis of Bath is Colonel, had been in attendance at Bath the whole of Sunday and Monday morning, and the Marquis lost no time in forwarding all the troops in his neighbourhood.

About eight o'clock in the evening a body of the 11th regiment of foot, who had arrived by the steam-packet

from Merthyr, and landed at Shirehampton, marched into the city. Col. Love, commanding the reserve companies of the 11th regiment of foot, at Cardiff, as soon as he had received a dispatch from the Mayor, at six o'clock on Monday morning, hastened his departure,\* and the march to Newport was performed at the rate of four miles an hour.

On landing at Shirehampton, Col. Love wrote to the Mayor to announce his approach, and stated that he should march to Clifton, and wait there for orders. On receipt of the letter, a Magistrate immediately went to Clifton in order to accompany Colonel Love into the city. But the night being dark, the regiment, on Durdham Down, passed the turning to Clifton, and came straight to the top of Park-street, leaving Clifton on the right. On entering the city by Park-street, the Colonel ordered the drums to strike up,—in an instant the sashes in every house were up, and the inhabitants hailed the soldiers with enthusiastic cheers. This force, with the former accession of troops, and the determined spirit of resistance which had by this time been aroused among the inhabitants, struck terror into the disaffected, while it tended to strengthen the reviving confidence of the

\* Rioters and Revolutionists understand each other well. The mob at Newport, in sympathy with their friends in Bristol, attempted to prevent Col. Love leaving that place in a steam-packet of which he had taken possession. A regular attack on the soldiers was prepared; but a few significant words and more significant signs on the part of the commanding officer, denoting a warm reception, deterred them. Having vainly attempted to cut the boat adrift, their fury found vent in curses and execrations, and wishes for the sinking of the vessel, lest their revolutionary confederates in Bristol should be interrupted. They attempted to intimidate the soldiers by crying out “Where are your coffins?” It may be fairly asked of the Reformers, if Sir C. Wetherell was the cause of the riots in Bristol, what had he to do with the rioters in Monmouthshire?

citizens. The troops were stationed in different parts of the squares and streets, and the approaches to the city, and parties of the constabulary force (comprising as we have before said nearly all the respectable inhabitants) perambulated their respective districts in numerous bodies.

At an early hour on Monday the Marquis of Lansdown rode into Chippenham, having heard a report of the riots in Bristol. He immediately sent off a dispatch to the Secretary of State, and also wrote to Captain Starkie of the Melksham troop, Lord Andover of the Malmesbury troop, Captain Calley of the Marlborough, Captain Smith of the Ramsbury, Captain Locke of the Devizes, and Capt. Phipps of the Chippenham troops. Although the services of these troops were limited to Wilts, Dorset, and Hants, they immediately volunteered, and before night the Marlborough and Malmesbury troops had proceeded on their march, but favourable accounts being received on Monday evening they were ordered not to proceed. The city and the country are greatly indebted to them for their promptitude.

The express sent by the Magistrates to Portsmouth, reached that place at nine o'clock on Monday morning; and shortly afterwards a telegraphic dispatch was received there from Government, directing that a division of the 52d regiment, which had just landed from North America, should be conveyed in a steamer to Southampton, and thence proceed with all expedition to Bristol. Sir C. Campbell, the Governor, was inspecting them when the despatch arrived, and at four o'clock they were all on board the Conference steamer.

A brigade of Artillery, with a supply of ammunition,

under Major Walcot, were ordered (as soon as the accounts of the riots reached Government) to proceed with all speed from Woolwich. The forced march was effected with characteristic rapidity. The presence of a single piece of artillery at an early stage of the riots, would probably have had a decisive effect. Had the riots continued, Bristol would have been shortly surrounded by an immense military force, as directions had been sent by Government, (who expressed in the strongest terms their determination *now* to put down the riots) to Woolwich, Portsmouth, Dublin, Waterford, Cork, Pembroke, and Plymouth, to march troops with all expedition on the disturbed quarter, and frigates were ordered to Kingroad, in the Bristol Channel.

## CHAPTER XIII.

## SEARCH FOR PLUNDERED PROPERTY.

Tuesday was principally devoted to searching after plundered property. The Exchange was appointed as a receptacle, and the mass of furniture of every description—beds, wearing apparel, tables, linen, glass, plate, &c. &c. collected there during the day was truly astonishing. Some of the Churches were appropriated to the same purpose. In Host-street upwards of two waggon loads of furniture were found in one house. Marsh-street, St. James's Back, the Dings, and in fact almost all the lowest and dirtiest parts of the town were filled with plunder of various descriptions, though a great deal was hastily destroyed, when it was known a vigilant search was begun. In one of the streets, a well was found stuffed with furniture of all descriptions, soaked with water. Numbers of individuals were found in the greatest state of intoxication, with bottles of wine under their beds; and many of them were taken into custody on suspicion. On the person of one man was found upwards of two hundred pounds in money, supposed to have been taken from the Custom-house, and another dirty ragged fellow had his pockets filled with sovereigns.\* Numberless are the instances in which property was thus found, but the quantity lost baffles calculation.

\* A fellow was apprehended at *Birmingham*, having a quantity of valuable silver plate in his possession, which had been stolen at Bristol during the riots.

The following bill was issued by the Magistrates on Wednesday:—

“Council-house, Wednesday, Nov. 2, 1831.

“The Magistrates most earnestly desire that all Persons will avoid assembling in crowds in different parts of the city, as such assemblages are likely to promote disturbances, and interfere with arrangements now making for the recovery of property and detection of offenders.

“C. PINNEY, Mayor.”

Numerous anecdotes might be collected, and incidents of some interest; but the detail at any length would carry the narrative beyond its strict historical object; a few, however, may be slightly mentioned. Of the rioters who perished many were pierced through the body. One man who had climbed a tree was saved by an officer, who would not allow that he should be cut down in cold blood. In digging out some ruins in the Square, a wretched man was found dreadfully mutilated. He had fallen into one of the vaults in a state of drunken insensibility, and when dug out, was found to have had one of his arms burnt off above the elbow. He was however alive, and immediately he was released rose up and *walked away*. On searching a house in Marsh-street, an Irishman was found sitting by the fire in one of the upper rooms, severely wounded by a sabre cut on the shoulder, which had separated the flesh from the bone down nearly to his elbow. The party offered to send him to the Infirmary, but he refused, although the wound had not been dressed. In a corner of the same room lay the bed, and on the searchers going towards it a woman begged they would not disturb it; but, after some parley, a rug covering was removed, and they

discovered a dead man, having a cut across the forehead, and the woman admitted that the deceased was her husband.

The number who perished in these riots has been variously estimated, and must always remain matter of doubt, from the nature of the transactions in which the guilty sufferers were engaged. It is generally believed, however, that not less than five hundred lost their lives, either by being burnt to death, intoxication, or the swords of the military. The Infirmary reports state about one hundred to have been admitted into that Institution; but as these patients were of course *felons*, it is presumed that few cases comparatively were taken there, and that the greater part were privately conveyed home.

There is one incident, which, as it became the subject of judicial scrutiny, and is of itself of great importance, affording proof of that malignant spirit which is so active in persecution of gentlemen who do the duty of good citizens, that it has been considered advisable to withdraw it from the narrative of the course of events, which it would have impeded, unless passed over with too much haste. It has, therefore, here a separate place. The full particulars will be found in the Appendix, in "the trial of Captain Lewis."—This honourable man and exemplary citizen promptly obeyed the call of the Magistrates to quell the riots, in the capacity of special constable, being himself a native of the city, to which, after an active and honourable life in the service of his country, in every quarter of the globe, he had retired. He had been resident in Bristol fifteen years—universally respected and beloved. Bound to

it by no commercial tie, with a feeling that does him great credit, he preferred, like a truly good citizen, expending the revenues of an ample fortune in the city of his birth, to the allurements of places of more fashion and pleasure. The unfortunate occurrence may be thus briefly stated. Captain Lewis, after having felt the ferocity of this "good-natured mob," when he was acting as special constable, having been knocked down, trampled upon, and in some danger from injuries received, arms himself with pistols for self defence. He is collared by ruffians whom he might have shot; but out of humanity staid his hand while holding the pistol. In this state his arm receives a violent blow, the pistol goes off, and an unfortunate boy is shot.

It may, perhaps, be asked who were the real prosecutors of Captain Lewis, and from what pockets did the funds come? The only person who appeared at the trial as prosecutor, was a person calling himself Edmonds, a perfect stranger to the city! Was there here a conspiracy to persecute to death? Let suspicion fall where it may, it does not belong to this narrative to cast so foul a stain on the characters of any, as to direct such suspicion. The culprits will bear within their bosoms to their last hour the consciousness of a sin of the deepest dye, and the sure punishment of a disappointed malignant rancour.

The conduct of the Bishop of Bristol was worthy that excellent and pious Prelate. He had been advised not to attend at the Cathedral on Sunday morning. The ruffians had sufficiently marked all who had voted against the Bill; but he was a good and pious Bishop, and that was an additional offence not to be pardoned. Reports

of the intention of the mob to destroy the Cathedral and the Palace had long preceded the actual outrage. But no danger could deter this excellent Prelate from his religious duties. He replied, when urged to remove from the city, or at least to absent himself from the Cathedral, "I thank you for your kind consideration of my person, but I am to regard my duty to God, and not the fear of man. It shall never be said of me that I turned my back upon religion."

On the Sunday evening his Lordship left Bristol, and therefore escaped the fury of the rebels; for there is but small reason for expectation that those who did not spare the Sanctuary would have spared the Priest. Most valuable property of the Bishop was either plundered or burned in the flames. The ruffians with the cry of "Reform, the King, and no Bishops," in their mouths, undertook to "set his house in order" for him; and in their hands it soon became a heap of smoking ruins. The Cathedral indeed was providentially saved; yet that the crime of sacrilege might not be wanting, the beautiful private chapel was broken into, plundered, and fired. When we think of the atrocious acts—the throwing the insultingly-mutilated bible into the flames—the scoundrel mobs with their blaspheming howling and banners, their breaking into and firing the Palace, tearing down the carved work of the chapel as fuel to the flames, and this too on the Sabbath day, and bear in mind the threats and words of the wretched Davis, that "in six weeks there would not be a church standing in the land,"—who is not forcibly struck with the description of the enemies of God, in the 74th Psalm?—"Thine adversaries roar in

*the midst of thy congregations*, and set up their banners for tokens. He that hewed timber afore out of the thick trees, was known to bring it to an excellent work. But now they break down all the carved work thereof with axes and hammers. They have set fire upon thy holy places, and have defiled the dwelling place of thy name even unto the ground. Yea, they said in their hearts, let us make havoc of them altogether." By the mercy of a protecting Providence we are as yet spared the awful conclusion,—" Thus have they burnt up all the houses of God in the land."

## PART XIV.

## PROOFS OF AN EXTENSIVE CONSPIRACY.

Having completed an account of the *transactions* of the ever-memorable Three Days in Bristol, and seen something like a restoration of order, if not of internal peace, the Narrative may be considered as having reached a resting place, from whence it may not be unprofitable to look back; though the sight fill us with dismay, as that which struck the Patriarch of old when he beheld and “lo the smoke of the destroyed cities went up as the smoke of a furnace.” A useful lesson may be drawn from the survey. Here is an ancient, a great, and populous city, in part sacked and burned by an infuriated mob. The smoking ruins of public and private buildings tell a tale of disgrace, that affects the national character. The suffering is indeed confined to Bristol; but neither the disgrace nor the moral is local. If the view be sickening to the mind, as frightful to the eye,—reflect, that these riots may have saved what is a million times the value of the whole city, the Constitution of England.\*

Here was a vast population in commotion. Countless citizens unable or unwilling to defend the person of the King’s Judge;—the King’s Customs and Excise, the Public Gaols, whose ruffian inmates were to be let loose

\* It will be evident to the reader, that the above was written before the completion of the tyranny against the Constitution.

upon some premeditated horrid work,—the Mansion-house of their Mayor, the Palace of their excellent Bishop, the private dwellings of ejected inhabitants, against whom not a shadow of a charge could be brought,—all plundered and burnt to the ground ! It is unparalleled in history. Cities have been sacked and burned by foreign enemies, and the wretched citizens honourably buried in their ruins ; but here, did a band of *patriot* ruffians for two days triumph in outrage unchecked ; and the ill-disposed of the citizens looked on in apathy, in sufferance, and too many in approbation. *They thought it was the first step of a revolution*, which a wicked press and a singularly unfortunate coincidence of evil circumstances, under the sanction of an insane Government, had led them in a strong delusion to desire. They saw in those flames the triumph of the Black Book of the Press, of Reform, the downfall of a tyrant Aristocracy, of a grasping Religion, of an odious local Authority. They saw in those flames the cancelling of bonds that stood against them, remission of taxes, annihilation of public debt ; they looked to a golden harvest of revolution the lying prophets had promised, and they suffered the work to proceed. Nay, the boasted Political Union, that they might not be led by their better feelings to interfere, were ordered *to their own homes*, when they should have saved the homes of others. And in this their abstinence, thus keeping their hands from every *good work*, they helped to paralyse the inhabitants by the assumption of the power and dignity of office ; the authority of a “ Council,” which the timid naturally enough magnified into a legislative body, delegated by a combination too extensively formed, and too

matured in their plans, to resist; whose very insolence was strength, giving formidable encouragement to the most abandoned wretches, and unnerving the arm of many a legitimate defender, who, whether true or false, would conceive this outrage sanctioned by a "Council."

It was a base malignant faction within, that rendered the population disaffected, and the plotters and revolutionists saw it was a fair scene for their experiment. It failed—and England is yet preserved.

The above remarks naturally lead to a consideration of the plot. Is there any proof of premeditated revolution?

It will appear that there was a system and organization in the Bristol riots that can have no other origin. It is the very nature of a plot to be concealed; could it be discovered in all its ramifications, there would be little danger in its existence; but as the difficulty of obtaining positive direct proofs may rather intimate the danger and the certain\* secrecy with which it is invested, so will it make those which can be adduced of greater importance. And they are, taken together, sufficient to create alarm and vigilance.

It is unfortunate that those whose chief duty it is, and who have the best means in their hands (the Government) appear but little solicitous to make a strict examination of the schemes of Revolutionists, from whom they have derived an adventitious aid. Bold measures are indeed publicly proclaimed and owned, blazoned in

\* How nearly, from the wonderful secrecy with which the conspiracy was matured in Ireland, under Lord Edward Fitzgerald, did that rebellion burst out with every prospect of success. The discovery was accidental, owing to no foresight in the Government, and made just in time.

triumphant confession, and of such a nature as would, in other days, have brought their professors into imminent danger of a charge of treason. Yet it may be suggested that there are under-plots with which many, even of the demagogues and the ostensible leaders of Political Unions, may be totally unacquainted, and secret sub-committees and sub-delegates that may in cunning wisdom adopt the Union as a blind; that the Executive, seeing so much evil owned and published, may think there is nothing worse behind. But whatever may be the inactivity of the Government, and from whatever cause it may arise, the citizens of Bristol have a deeper interest in the discovery. They will relieve themselves from an eternal disgrace, if they can show that this revolution was not local in its origin, whatever it has been in its disastrous effects;—that Bristol was the theatre in which the revolutionary tragedy was to be enacted, but that the authors and chief actors were of an itinerant company, who chose to erect their stage and make their season in that ill-fated city. It may be said, that some of his Majesty's servants, stars from the theatre-royal, condescended to speak the prologue, though they disdained to tread the boards in the character of *dramatis personæ*, or to appear in the afterpiece.

To say that the perpetrators of the Bill were in connection with the perpetrators of the riots, will not be to charge upon them the conception of the plot. But there may be, nevertheless, a connection—and so it was here. The Bill—the Reform Bill—was the bond of Ministerial and Revolutionary Union. It was an appeal to the physical force of the people; and the language with which it was urged, when it vilified the

Constitutional Parliaments of England as “ robbers of the public purse,” invested the vilest traitors with the mantle of patriotism, and thus enabled them, under allowed audacity, to conceal the real workings of a widely extended and organized conspiracy.

That such an organized conspiracy did exist, and was active at the Bristol riots, may be at least suspected from the following circumstances.

The day was no sooner fixed for opening the Commission at Bristol, than persons were sent to the neighbouring towns, urging an attendance in Bristol on the 29th October; in consequence of which the city was full of strangers. At Bath, the mob prevented the troops of yeomanry from stirring on Sunday evening; and at Newport, they made a strong effort to prevent Colonel Love embarking in the steam packet for Bristol.

In attacking the prisons, the mob went directly (though out of their way) to smiths' shops for sledge hammers, &c.—separated for a purpose, and united at the Bridewell and at the Gaol.

When the mobs were divided, for separate objects, still with each party there were persons provided with combustibles. They were divided in attacking the Gaol, Cumberland toll-house, and Prince's-street toll-house, yet still they met at Lawford's gate prison.

On their way to the Bishop's palace, some of the mob wished to attack the Council-house, but the Palace was *first* in the plan, and although once beaten off from it, the fires put out, and nearly two hours elapsed before it was again successfully attacked, still the orders were observed, and no other building was assaulted *until* that was fired.

In the Square, the houses were fired regularly, by bands, and called to action by the rattle and the bell;—each party having different occupations, and not interfering with each other.

The expressions of Davis, on Friday, 28th Oct. show that the city was to be fired.

The conduct of the mob at Mr. Hole's shop, and their declaration;—the gig-men at the Old Market;—the combustibles used, which must have been long in preparation;—at the Custom-house, a paste;—at the Gaol, a liquid;—at Miss James's, Queen-square, a powder;—at the Chapter-house, a substance in cakes;—at Mr. Claxton's, fire-balls;—at another house, a torch;—the cap of liberty, not hastily made;—expressions of dying men, that they were sent for;—confessions of prisoners; while the mob out of doors were doing their part, their partizans in doors were at work writing notices, that certain houses or manufactories would be burnt in the course of the evening. They thus obtained their object, by keeping a large body of well-disposed citizens at home guarding their property, who would otherwise have been active in putting down the riots. Had not a *plan* been matured, this deep design would not have been executed.

Before the Bridewell was fired, a fireman of the Crown Fire-Office went down to that place, and mixed with the mob, to find out their plans. He was informed that *the prisons would be all destroyed, the Bishop would have a house-warming, and a match would be placed under the Mansion-house, and they would then go to bed.* This person immediately went to one of the clerks of the Fire Office, and next to the Bishop, and

stated what he had heard. During the whole evening it was remarkable how exactly their plans were carried into effect. The distance between the Gaol and Lawford's-gate prison is two miles; yet the mob, going by different routes, all arrived about the same time, nor thought of any fresh aggression until each pre-concerted object was effected. The sending off a pigeon from Queen-square (as mentioned in the *United Service Journal*,) with a letter to Nottingham, has been vouched for on good authority.

A person, who had served at the business of a druggist, was engaged during the week previous to the riots, in making balls about the size of walnuts; they were all ready by the Friday evening. This person was so far in the secret, that he mentioned there would be property burned to a great extent, but not on his side of the town; in this he was quite correct.

The giving money to urge on the mob, as appears was the case at the burning the Palace.

The previous attack on the Bishop of Bath and Wells, at the Bedminster New Church, by parties who were engaged in the subsequent outrages of the Three Days.

These few facts lead to very presumptive evidence, if not positive proof, of organization in Bristol; it has been shown that outrages of a similar character were attempted about the same time elsewhere. But let any one consider the course of incendiarism, from its first appearance in Normandy, previous to the French Revolution, to its last act of conflagration;—the extraordinary circumstances attending it,—the secret, yet sure, agency, —the skill, and artful management, and manufacture of means, and the extent of the expence requisite for the

wide execution,—the preparatory cheap publications, gratuitously circulated among the lower classes—and for the class above them, the publication of such works as *The Prophetic Messenger*, so skilfully contrived as to create the mischief it foretells;—let any one well consider these several particulars, and see them all working in combination, and he cannot reject the suspicion of a deep-laid and extensive conspiracy to effect a Revolution, and of the very worst kind.\* If the Three Days

\* That these conspirators identified themselves with the Reformers is likewise certain. *Reform* was the pass-word of safety; the “King and Reform” the common shout of encouragement. This truth is so palpable, that an apology seems necessary for the introduction of any matter, in the nature of proof; but it has been so strangely denied by the virulent of that Party, that one or two instances of proof may be not improperly adduced. It was in evidence on Clarke’s trial, that he delivered some stolen property to a party, first asking, “Are you Reformers?” In Gregory’s trial, it appears he stopped a man with a table, and asked whether it was a Reform table? “Yes.” “Then pass.” Davis, at the Gaol, said “Now d—n ye, ye would not let us have Reform.” By a deposition sworn before Mr. Alderman George on the 5th November, the fact is established that the Rev. Charles Buck’s house in Queen-square was fired amidst shouts of “*Protheroe and Reform for ever.*” This deposition was made solely for the purpose of instituting certain law proceedings for the recovery of damages for property consumed by fire, and not with any political view. A gentleman on Sunday night, in Queen-square, was lamenting the sad destruction of houses to a stranger, who replied, “The *Bristol people* are against Reform, and must be convinced.” A gentleman, high in the army, a resident of the neighbourhood, was in Queen-square between the hours of two and four o’clock on the Monday morning, and saw a well-dressed man assuming the character of a director of the fero-cious proceedings. He entered into conversation with this man, who told him that the affair was intended to have taken place in February next, though many had fixed it for the 5th of November; but that the excitement anticipated on the arrival of Sir Charles Wetherell was considered a favourable moment for carrying the plan into effect at an earlier period.

Accounts from Exeter, Worcester, and numerous other places, concur in stating that a simultaneous rising of the disaffected was apprehended on the 5th of November, when the usual commemoration of the Gunpowder Plot was to furnish the cover for the outbreak. Let it be remembered too, that an *armed meeting* of the

of Bristol, the horrid outbreaking of rebellion, was the result of a conspiracy, not originating with the citizens of Bristol, but one of general bearing ;—if the Government were warned by the Magistrates, and requested to send such a military force as would protect the city, under the fearful circumstances laid before them, and if Government neglected to send sufficient force ;—and if that force, amid the worst scenes, remained inactive,—it is cruelty, and the extreme of injustice, to make the citizens the sufferers, with regard to the immense property destroyed. But if the knowledge gained at Bristol, prevented a similar attempt in London ;\*—if the final suppression of the rebellion in

“ Trades ” of London was announced to take place on the 7th. Can it escape suspicion that “ulterior measures” were to have been adopted at that meeting, consequent on the expected outrages in the principal cities and large towns? The Government foresaw the danger, and prevented the meeting ; but if there be any Reformer sceptical enough to doubt the existence of an extensive conspiracy, let him read the following extract from the *Times* of the 4th November :—

“ With what design (says this ultra-reform print) the meeting of the “working classes” is summoned on Monday next, we know not. That the design is not a good one, seems but too probable, because the implied exclusion of all but those who live by daily and manual labour, is a malignant one. There is another reason for more than suspecting the design of White Conduit-house to be an evil one. We have heard that there are extensive manufactures of staves and bludgeons carrying on for the performers of that day’s intended Tragedy,—that fire-arms are to be carried under their clothes, that *the example of Bristol is to be appealed to*—but that more effect is meditated, and for that end, that a *more elaborate concert and more studied machination will be resorted to*. We affirm that such intelligence has reached us, and from more quarters than one.” There can scarcely be a doubt that the warning presented by the Bristol Tragedy saved the country.

\* Perhaps the reader will think the appeal to M. Persil, the French Attorney-General, from M. Lediere, in prison for a libel, rather a curious document. The quotation is from the *Times* :—

“ In 1829, I organized in London the European Committee, which accelerated the wakening of the nations, and announced their ap-

Bristol was the means of saving the country from anarchy, bloodshed, and civil war,—the country may be well content to make good the loss there sustained ; and if the Ministry feel in any degree conscious that they themselves were agitators, who excited the turbulence, and caused the too general apathy, or that a little more zeal on their parts to prevent insult to an opponent, accompanied with manifest danger, would have altogether prevented any excess,—if they be honest men, they will not patiently allow the citizens, who in other respects are so much injured by the riots, to bear the whole of the punishment.

proaching triumph. In 1830, I published in that city *Le Representative des peuples* ; and finally I must say, in my defence, that it is to my zeal, admirably seconded by the zeal of some powerful friends, that they owed all the public meetings in all parts of England, to congratulate France on her Revolution, and to overthrow the Ministry of Wellington, which dared to condemn it."

## PART XV.

## REVIEW OF THE CONDUCT OF THE MAGISTRATES.

As so much bitter persecution has gone forth against the Magistrates, a short recapitulation of their conduct, detailed in the preceding account, may be in justice due to them, and to the public, whose object in the survey of these events is truth. It has been shewn that the Corporation, that is the Magistrates, are not and never have been a political body. It has been shewn that the Mayor, whose mansion was burned and plundered, was a Reformer. They did not, therefore, by any political expression or sentiments, cause the riots;—and to charge them with producing them, by their application for military to suppress them, after they knew they were predetermined on, is an absurdity that requires no contradiction. But let it be seen what they *did* do, as so much has been said about what they *did not*.

First. When aware of the intentions of the ruffians, they send a deputation to the Secretary of State, and lay the whole danger before the Government, and require sufficient military force. The Secretary of State would give them no answer until he had conferred with Mr. Protheroe. Mr. Protheroe resists the sending military aid,—and writes to the Political Union, who subsequently thwart them likewise. All this mischief is *not their doing.*

Secondly. They endeavour to procure a strong constabulary force, and in defection of volunteers, hire constables, and prepare three hundred. The citizens, it is true, had been tampered with pretty openly to oppose the Magistrates ;—but that was *not their doing*.

Thirdly. They issue public notices, requesting the inhabitants to observe peace and good order, and pointing out the danger of disturbing the quiet of the city. These are torn down, and others put in their places, issued from another Council. This was *not their doing*.

Fourthly. They gave ample orders to the military, ineffective in numbers as that force was, only 93 men,\* and these sent with unusual orders, not to be used but on the greatest emergency. They gave the Commander of these troops sufficient orders to act decisively. If he did not act decisively to put down the riots, that was *not their doing* either.

Fifthly. They protested most strongly against the removal of the 14th dragoons—demanded their stay and their recall. The dragoons were sent away, and not recalled until Monday. And this defection† was *no work of their doing*.

Sixthly. They use every means in their power to assemble the citizens on Sunday, when the rioters had proceeded to great acts of atrocity, and although many respectable persons attended the call, yet at no time did

\* The Secretary of State, when danger was apprehended of a most serious character, sends only 93 men ; when the riots are suppressed, and the excitement over, at the special assize, and when nearly 4000 constables turned out, he sends about 400 infantry, and 250 cavalry, a squadron of artillery, and General Sir R. Jackson to command them.

† The orders given to Col. Brereton by the Magistrates, on Saturday night, were disregarded ;—on Sunday morning, disregarded ;—on the removal of the troops, disregarded ;—on demanding their recall, disregarded ;—at the Bishop's Palace, disregarded.

they exceed about 200, out of a population of 100,000. And if the rebels had their emissaries in such assemblies, to report proceedings and to create confusion,—that, likewise, was *not* the doing of the Magistrates.

Seventhly. The Magistrates are continually at their posts; the Mayor quits not the Mansion-house till he is in immediate danger of being burnt in it. At no time are the known official stations without some of the Magistrates present. If one of these posts, the Mansion-house, is burnt, and the Mayor in consequence obliged to establish himself in a private dwelling-house,—the outrage which caused this was *not* the doing of the Magistrates.

Eighthly. When so established in a private dwelling, the Mayor signifies to the other Magistrates where he is, and writes\* to the Commander of the forces to the

\* Much has been said, in consequence of the misapprehension of Mr. Goldney, who gave his evidence on the Court Martial, upon the supposed anxiety of the Mayor for concealment; but it will be recollected that the Mayor's letter to Col. Brereton, dated at twelve o'clock on Sunday night, is thus explicit:—

“The Mayor of Bristol begs to inform Col. Brereton that if he should have occasion for the orders of a Magistrate, either the Mayor or some other Magistrate will be found at No. 30, Berkeley-square, Mr. Daniel Fripp's, the second house on the right hand on turning into the Square from Park-street.

“Berkeley-square, 12 o'clock, Sunday night.”

Mr. Daniel Fripp addressed the following letter to the Editor of the *Mercury*:—

“In the evidence of Mr. Goldney, on the Court Martial of Capt. Warrington, on Thursday last, it is reported that he (Mr. Goldney) did not communicate to the Mayor what Capt. Warrington had stated, ‘as the Mayor had particularly requested him (Mr. Goldney) through Mr. Daniel Fripp, not to mention where he (the Mayor) was;’—that of Mr. W. Harris, Jun. is nearly to the same purport. *I have to state most distinctly and unequivocally, that I received no such directions from the Mayor, nor did I communicate to Mr. Goldney or Mr. Harris such directions AS FROM THE MAYOR.* In the state of alarm my family was in at the time, it is probable I made such a request on giving them, or one of them, the letter in

same purport, and demands his immediate exertion to save the city. If no attention is paid, the consequences are not the doing of the Magistrates. The Commander of the forces returned no answer to the communications forwarded at twelve and three o'clock. The Magistrates were engaged, during the night, making arrangements for the Sheriffs, preparing summonses for the posse comitatus, fixing on gentlemen who would undertake to organize the householders, on their arrival at the churches, &c. and determining what points should be principally defended. If, under all the circumstances, the Mayor had not withdrawn from the centre of the city, but had remained at the Council-house, the probability is, that that building would have been attacked and destroyed; the mob would have fired Broad-street, Wine-street, High-street, &c. and the loss of property would have been dreadful. The presence of the Mayor in the centre of the city would have attracted the mob, as they knew he had applied for military force against them. At five o'clock on Monday morning the Magistrates go, some to the Square, the Mayor and others to the Council-house.

Ninthly. The Magistrates did head such small parties as they could collect, at the imminent hazard of their

“ question; and after the evidence given by two respectable individuals on oath, I am not disposed to doubt it. Such request did not, however, prohibit either of those gentlemen returning to my house. From the clear description of my residence, to avoid any mistake, in the letter of the Mayor, dated 12 o'clock midnight, Sunday, and a particular circumstance at the time of writing that, at three o'clock p.m. Monday, I am convinced it was made to those gentlemen *as my own individual request*, and not by the direction of the Mayor, or given as such to either Mr. Goldney or Mr. Harris; and therefore, was received by them under a wrong impression, as being the request of the Mayor.”

lives—they headed a party to the Mansion-house—they headed a party to the Gaol—they headed a party to the Palace—they headed a party to Queen square, when the firing was stopped.

If in these, their many active, courageous attempts to encourage the citizens and suppress the riots, they were deserted, knocked down, and threatened to be ridden down by the soldiers, that discouragement to the citizens and themselves was *not their* doing.

Tenthly. They send expresses to several places for fresh military aid, the arrival of which saved the city. If the rebels had previously destroyed the Mansion-house, three Goals, Custom-house, Excise-office, Toll-houses, and a Bishop's Palace—none of this was the doing of the Magistrates.

It has been urged, that they should *early* have called out the posse comitatus;\* but was that attended with no danger with a population of one hundred thousand, and all, as the Reformers boasted, having made up their minds to insult Sir Charles Wetherell—and when the Magistrates had a suspicion that this might be a posse comitatus of rebels? It has been urged they should have armed the citizens—yet how were they threatened with “consequences” from the Political Union—and it should be recollected, that in every riot in Ireland since Lord Grey's administration, the Government have left the Magistrates and policemen to the tender mercies of the vile; some have been turned out of the Commission of the Peace, some have been tried for their lives, and *all* have been persecuted.

\* To call out the posse comitatus requires time; summonses must be filled up and served individually; nor can they be issued until the riot has taken place.

An outcry has been raised, and a very senseless one, against the Bristol Magistrates, that they did not act the part of dragoons, and (bare and undefended with the means of protection,) go forth as sure marks for the fury of the ruffians. But the law as it has been amply expounded, (which may be seen in the Appendix) acquits them of any relinquishment of duty here, by clearly annihilating the argument of necessity.\*

On the whole, it seems singular enough that of all parties to whom the public can turn their eyes, the Magistrates alone appear to have done undeviatingly their duty, strictly, honourably, and courageously; and it is not improbable that some of the rancour with which they are now attacked, may proceed from the bitter disappointment of the ruffians, whose plans were defeated by them—from the malignant spite of others who have always hated them as Local Authorities,† and from the

\* Any who saw the movements of the 14th in the street must be convinced, that if any Magistrate had been mounted and with them, he would have been separated from the troops the very first charge, and unquestionably have been murdered by the mob; and if able to keep up with the soldiers, charging, could he be expected to understand military signals and orders of command, by which their movements are regulated? Major Beckwith, on this point, gives evidence of nothing but his own astonishment, that none of the Magistrates of Bristol were expert horsemen. He seems to have formed his beau-ideal of a Magistrate from his recollections of the renowned Hudibras, who was "Great on the bench, great in the saddle."

† Last year the Corporation proposed to the different parishes the introduction of a Police Establishment, similar to that in London, in lieu of the present system of watchmen. Meetings were called, the plan was opposed, and they did not proceed with the measure, in opposition to the wishes of the citizens. The Corporation, indeed, appear to have been provident in more instances than one. Soon after Lord Grey came into office, an application was made to raise a volunteer corps. The Government refused. Within a month, a similar request was made from Salisbury, and granted.

natural love in those who are really much to blame, of shifting the disgrace from their own to more convenient shoulders.

But it may yet be hoped, that though there may be some incurable in their insane Reforming fury, the Bristol riots will effectually remove the delusion from the eyes of misguided citizens ; that in the "cool of the day," they will hear a better voice, and "be afraid;" that they will learn, to their own best interests, that it is the duty of citizens to help to make their city flourish, and not to rush upon the attempt to found an empire ; that it is better for them to become industrious tradesmen, than political paupers and brawling Unionists.

For the accounts of the Special Commission and Courts Martial, the reader is referred to the Appendix —in this place it will only be necessary to make a few remarks upon them.

It will ever be a subject of regret, that Special Commissions had not been earlier issued, upon the riots at Nottingham, Dorchester, and Derby. The passage in the speech of the Lord Chief Justice, in reference to this neglect of the Ministers, is worthy remembrance :

" For in the case of offences at once so alarming to the public tranquillity, and so dangerous to the property and safety of individuals, it is of the first importance to make it known to all, that enquiry and punishment follow close upon the commission of crime, in order that the wicked and ill-disposed may be deterred, by the dread of the law, from engaging in similar enormities, whilst the peaceable and industrious may look up to it with gratitude and affection for the safeguard which it extends over their persons and property."

Had punishment followed “*close upon the commission of crime*” in the cases of the outrages at Nottingham, &c. there might have been no riots at Bristol.

On the 2d Nov. the Government issue a Proclamation in the King’s name, in which there is a cautious abstinence of any severity, nor is the outrageous insult and attack on the King’s Judge, or his name, so much as mentioned. A Proclamation of this character does not reach the dignity of a *brutum fulmen*,—it is too much in the whining tone of entreaty to be respected, and tends to the encouragement of the seditious, by its weakness and timidity:—

“ *Whereas* in divers parts of Great Britain, and more particularly in the towns of Derby and Nottingham, and in the city of Bristol, tumultuous assemblages of people have taken place, and outrages of the most violent description have been committed both upon the persons and property of divers of our subjects ; and whereas all the restraints of law and order have been overborne and trodden under foot by such lawless multitudes, the mansions of individuals violently entered, pillaged, and set on fire, the ordinary course of justice forcibly interrupted, the gaols for the confinement of criminals broken into and destroyed, and malefactors and persons charged with offences let loose upon the public, to the great disturbance and danger of the common weal, and the subversion of established government: *And whereas* the welfare and happiness of all nations do, under Divine Providence, chiefly depend upon the observance and enforcement of the law: *And whereas* it is our firm determination faithfully to discharge the duty imposed on us, to preserve the public peace, and vigorously to exert the

powers which we possess for the protection of all our subjects, in the entire enjoyment of their rights and liberties : *We*, therefore, being resolved to suppress the wicked and flagitious practices aforesaid, have thought fit, by and with the advice of our Privy Council, to issue this our Royal Proclamation, solemnly warning all our liege subjects to guard against every attempt to violate the law, and to abstain from every act inconsistent with the peace and good order of society ; and we do hereby charge and command all *Sheriffs*, Justices of the Peace, Chief Magistrates of Cities, Boroughs, and Corporations, and all the Magistrates throughout Great Britain, that they do effectually repress all tumults, riots, outrages, and breaches of the peace, within their respective jurisdictions, and that they do make diligent enquiry in order to discover and bring to justice the movers and perpetrators of all such seditious and wicked acts as aforesaid : and we do earnestly and solemnly exhort, enjoin, call upon, and command all our liege subjects, of all ranks and conditions, that they do come forward upon the first appearance or apprehension of any such disturbances as aforesaid, as they are bound by their duty to us, by their regard for the general interest, and by the obligation of the law, and that they be actively aiding and assisting to all *Sheriffs*, Justices of the Peace, and other Magistrates, in enforcing the law against evil doers, and in protecting their fellow subjects in the enjoyment of their property and the exercise of their rights, against all forcible, illegal, and unconstitutional interference, controul, or aggression.

Given at our Court of St. James's, this 2d day of Nov. 1831, and in the second year of our reign.

God save the King."

N 2

In contemplating the fate of the wretched victims, whom the law has demanded, who is there that does not deplore the guilty excitement by which they were goaded into crime? But if the more guilty may have escaped, we must not therefore affect a sickly sentiment, and pule and whine away the safety of our lives, property, and Constitution, in our maudlin commiseration of those who have suffered. Let the wretches who would burn us in our beds suffer the penalties of the law, and let us reserve our best sympathies for the good and the guiltless. The affected voice of pity is too often of the hypocrite and scoundrel,—it is the false whine of the crocodile, that crawls out of his mud and his slime to imitate the bewailing tones, and shed the tears of sympathy, that he may more surely glut his ravenous appetite for blood and mischief.\* From what justifiable feeling could the petitions to spare the condemned ruffians have arisen? Were *they* parties to them, who looked on unmoved, when the life of a Judge of the land was attempted, and the miserable citizens might have been burnt in their beds? And who then complimented the ruffians with the designation of a “good-natured mob?”

\* The Manchester Political Union, at a meeting held on *Sunday*, so worded their address, that ferocity, not pity, would appear to have been the motive, and blood the object. They thus state the conclusion of their Council:—

“ That there has been blood enough spilt in consequence of Sir Charles Wetherell’s cruel and unprincipled conduct. We dare not trust our feelings to enter into detail; our determination is taken. If one of these men suffer death, *unless Sir Charles Wetherell suffer with them*, we shall have lost all confidence in the present Ministry; and there will be something more added to a long catalogue of crimes already recorded against the present, as well as former Governments of this country. Add but this and the catalogue is full. Then the *work of justice* must begin. The same feeling actuates us relative to the Special Commission now sitting at Nottingham.”

Rather let punishment for such crimes be sure;—that the blessings we have enjoyed, under our old Constitution, may not be put to the hazard of every brutal attempt to be set on foot by the agitator and demagogue.

The trials of Col. Brereton and Capt. Warrington are at full in the Appendix. The inexplicable conduct of the former must always be a subject of conjecture. The termination of his trial by his unfortunate suicide, as well for other reasons, is likewise to be lamented, as it deprived the public of much information that might have been elicited from his defence. Without an intimate acquaintance with the character of his mind, it would be perhaps criminal to ascribe motives. It would certainly appear, that he thought the forces, the Ministry allowed him, insufficient in numbers, and that he greatly overrated the power of the mob. It may have been, that he really thought the Bristol riots the commencement of a successful Revolution, to which real resistance would cause a useless effusion of blood; and he did not, evidently, view with very great abhorrence the atrocities the “people” were committing.

Had the Court Martial proceeded, it would have been proved, that on the Sunday afternoon, when twelve or thirteen constables were within the Mansion-house, and four soldiers without, and it was represented to Col. Brereton that unless a reinforcement of constables were sent for, or a detachment of military, it was impossible to keep possession against the increasing mob—that then Col. Brereton replied, “I'll go and quiet the rascals,” and that he addressed them thus:—“My good fellows,—you've released your prisoners,—you've got them back,—I have sent away the 14th who rendered

themselves obnoxious to you by their conduct,—a strict enquiry shall be made into that conduct, and I promise you that the enquiry *shall* be strict;—what do you want more?—Now go quietly to your homes, first giving three cheers for your King.” Upon this he waved his cap, leading the cheer.

These trials prove a strange misconception on the part of the military in cases of riot. After the able exposition of the law upon the subject, this cannot well occur again. The proceedings of the Courts-Martial will be read with great interest; they are remarkable for a display of eloquence and ability rarely to be met with, more particularly in the concluding speeches of Major-General Sir Charles Dalbiac, the Prosecutor.

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It was the intention of the Narrator of the Bristol Riots, in conclusion, to have detailed at required length the Consequences. This part of the work, however, has been deferred until by the violence consummated against the Constitution, they have become of little importance beyond the city wherein this first atrocious Reformers’ Tragedy has been perpetrated. He has now the shorter work to perform, and yet it is grievous. The Revolutionary events that have crowded into action, since the above Narrative was drawn up, will make much, both of the language and proceedings, appear weak and insignificant. The *movement* has been indeed forwarded, and of this we are most convinced by looking back. The boasted loyalty has fallen before it; and

that which we barely dared to suspect, has been openly and audaciously acknowledged and proclaimed; and thus much that has been written is confirmed.

Whether the Reform Act shall verify the fears of its opponents, or the hopes of its authors and supporters, the expected good or suffering will alone develope. But though it may possibly be a subject of rejoicing to the country at large, its agitation will ever be remembered by Bristol as the epoch and date of its severest calamity. Previously to that agitation, it has been shown that the city was singularly fortunate, in comparative prosperity, comparative concord and internal amity, and comparative loyalty to the Constitution. It is now unquestionably in distraction and distrust, on the brink of a ruin that may be irretrievable, already burthened with a debt of 70 or £80,000. of which the Riots are solely the cause, and which, falling upon impaired resources, will long be a check to any attempts to restore its credit and hopes of reviving prosperity.

Agitation has struck a blow, and is still aiming fresh attacks upon the greatest source of its wealth,—the West India Interest. The citizens have seen and felt that the consequences have been hitherto disastrous, but perhaps do not yet all see, that they must be universal;—that they must reach themselves, and that the system, if persevered in, must be fatal, and sink the second city in the empire into the insignificance of a mere coasting port.

The active charity of its wealthier citizens has been ever conspicuous, and the outrages committed against their persons and property have not turned them aside from those good and kind acts by which the sufferings

of disease or penury may be alleviated. The once flourishing city is indeed brought low, for it has not only disquiet but pestilence in its streets. Happy will it be for the citizens, if they are led by reflection on the past, to see and acknowledge that those are their best friends who *fear innovations*; and if they resolve now in their *one triumph* and many sufferings, to place no confidence in agitators, who would instigate them to the burning of private dwellings and the desecration of churches; and if they would weigh well, (the one only cause of dissatisfaction being removed) against the desolation they have witnessed, the value of Conservative Principles, whose professed object is the preservation and security of property, the promoting public credit and confidence, without which even industry is unavailing, and the establishment of the liberty of offering our prayers to God, the Giver of all Good, in the temples which our forefathers have raised to her service.

*August 25, 1832.*

## **APPENDIX.**



## APPENDIX.

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### STATEMENTS FROM THE MAGISTRATES.

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*To the Editor of Felix Farley's Bristol Journal.*

COUNCIL-HOUSE,

Bristol, 14th Nov. 1831.

MR. EDITOR.—A fortnight has now passed since the distressing scenes took place in the city of Bristol, which will long mark Sunday, the 30th October, in the memory of those who witnessed them. During the interval which has elapsed, the Magistrates and their Officers have been occupied almost without intermission in satisfying the numerous claims upon their attention, which the apprehension of persons charged with offences, the recovery and preservation of abstracted property, and other matters of continual and pressing occurrence, presented.

It is hoped that the candour of by far the greatest part of their fellow-citizens has, in the mean time, spared them from the censure and reproach which others, in ignorance of the facts, and without materials for judgment, have thrown upon them. Their complete vindication must be left to that full and fair enquiry by which, whether it be called down upon them by adverse application, or may take place under any other circumstances, they feel that justice will eventually be done to all, and by the result of which they are content to abide. In the mean time the inclosed copies of two letters sent by the Magistrates on the 4th Nov., one of them (with the Appendix) to his Majesty's Secretary of State for the Home Department, and the other to the Commander-in-Chief of his Majesty's Forces (a copy of which last letter was also sent to Colonel Brereton,) will serve to convey an outline of the principal circumstances as they occurred, and which, it being ten days since the documents were transmitted to the respective offices, the Magistrates think they may now, without impropriety, lay before the

public; reserving the full detail of particulars for the proper time and occasion, and wishing to refrain altogether from comment. The Magistrates, nevertheless, consider it necessary to notice a letter, from Capt. Codrington to the Secretary of State, which has been very generally published in the newspapers.\* The facts appear to be these:—Captain Codrington's troop arrived soon after the firing of the Bishop's Palace, where some of the Magistrates had gone from the Council-house, as stated in their letter to the Secretary of State, and had in the result been separated by the rush of the mob.—The approach of the troops, on entering the city, was communicated by the messenger who had been dispatched for them to one of the Magistrates at the Council-house, who immediately went to make arrangements for getting their billets. When the Officer called at the Council-house he was directed to the Commanding Officer's station, in the College-green, to report himself. Shortly afterwards, an Officer called at the Council-house, from Col. Brereton, to ask for a Magistrate, and was told the Colonel should hear from the Council-house in five minutes; within that time, a call was made at the Colonel's Office, in College-green: he was not at home, and no directions could be obtained where to find him. In about half an hour from this time, the letter in the Appendix, No. 5, and also billets for the troop, were left at the Colonel's Office; the troop had, in the mean time, gone from College-green to the Livery Stables, in College-street, where the 14th light dragoons had been stationed, and where, in the presence of Col. Brereton, the same accommodation was offered to this troop which the light dragoons had received there; but, whilst the lights were being placed in the stables, they went away and left the city.

I am, Sir, your most obedient Servant,

CHARLES PINNEY, MAYOR.

\* "My Lord,—I have the honour to represent to your Lordship, that in consequence of a requisition from the Mayor of Bristol, between two and three o'clock yesterday, I collected my troop of yeomanry with as little loss of time as it was practicable. When your Lordship considers that I had to send some miles in different directions, you will, I think, admit the alacrity of my men when I state, that we were enabled to march from hence (Dodington), with scarce a man missing, by seven o'clock. Having, however, fifteen miles to go, and the night being very dark, we could not reach Bristol till after nine, when, I lament to say, we found the city on fire in many places, the gaols emptied, and the town in the greatest confusion. Having paraded through the principal parts of the city for more than two hours, without being able to find a Magistrate; hearing that they had in fact left the town after withdrawing both His Majesty's troops and the police; finding ourselves thus unsupported, and without a hope of being in any way serviceable, the city being actually in the uncontrolled power of the populace, I had no alternative but that of withdrawing also my men, and we returned home about five o'clock this morning.

"Feeling it my duty to make this statement to your Lordship, I should ill perform it towards the brave men I am proud to have the honour of com-

*The Mayor's Letter to the Secretary of State for the Home Department.*

COUNCIL-HOUSE,

Bristol, 4th Nov. 1831.

MY LORD.—The Gaol Delivery having been fixed for Saturday, the 29th Oct., it soon became evident to the Magistrates, as well from reports circulated in the city and placards upon the walls, as also from paragraphs in the newspapers, expressing the disapprobation of the friends of Reform with respect to Sir Charles Wetherell's conduct in Parliament, that a strong public feeling would be excited against him, and that this might be expected to manifest itself on his arrival and during his stay in the city. The Magistrates, therefore, took into their consideration the propriety of making a communication to Sir Charles on the subject, and of submitting to him whether, under the circumstances, it would be advisable to postpone the Gaol Delivery. A deputation accordingly waited upon him in London, to make this representation and ascertain his decision; and in case it should be determined to hold the Gaol Delivery, to make a communication to the Secretary of State, and request that a military force might be sent to assist and support the civil authorities in protecting the city and preserving the public peace. It having been decided on that the Gaol Delivery ought to be held as usual, the proposed application was at once made to your Lordship, and your Lordship having assented to the views of the Magistrates, but wishing to see the deputation again on the subject, you were accordingly waited upon by them and Sir Charles Wetherell on the following day. Your Lordship having then sanctioned the opinion of the Magistrates as to the propriety of holding the Gaol Delivery in the usual form, and having directed that troops should be sent to the vicinity of the city, and placed under the orders of the Magistrates, upon the express understanding, however, that their services should not be required except in case of actual necessity, and the failure of the civil power to maintain the peace, the Magistrates immediately took such measures as appeared to be necessary for increasing the constabulary force.

manding, if I did not further state, that no men could have come forward with more alacrity; and, although they might not have acted with the discipline of His Majesty's regular troops, they would not have been exceeded by them in zeal, loyalty, or a determination to have done their duty; and had they had an opportunity of acting, they would have shown themselves not undeserving of His Majesty's approbation.

"I have the honour to be, my Lord,  
"Your Lordship's obedient servant,

"C. W. CODRINGTON,

"Captain of the Dodington and Marshfield  
Yeomanry Cavalry."

"Dodington, Oct. 31."

Upon application to the Inhabitants of the several wards, their returns were insufficient for the number required, and such deficiency was immediately supplied by engaging hired Constables for the purpose; the whole, with the Sheriffs' Officers, amounted to about 800 men. On Thursday, the 27th, the Magistrates issued and published the address contained in the Appendix No. 1. On the 29th, the Sheriffs met the Recorder at ten in the forenoon, (being much earlier than the usual hour) at the distance of about one mile from the Guildhall, and much nearer to it than the usual place of meeting.

These precautions, which were adopted in the hope that they might lessen the difficulties of Sir Charles' coming in, had not altogether the desired effect; the number of persons assembled was much larger than upon former occasions, and considerable tumult and pressure took place. Sir Charles was assailed with violent groans, hisses, and other strong expressions of disapprobation, and occasionally by stones thrown at him, from the time of his being first received by the Sheriffs to his arrival at the Guildhall, and again in proceeding from thence to the Mansion-house, after having completed the usual formalities of reading the charter and adjourning the Court. In passing from one place to another, the Constables experienced great pressure and annoyance, and were frequently struck with stones, and several of them were considerably wounded.

They, however, performed the duty assigned to them, and Sir Charles reached the Mansion-house in perfect safety, about noon. The crowd assembled in front of the Mansion-house continued there for some hours, without any indication of riot, except by expressing their disapprobation, as they had before done, and by occasional skirmishes which took place when the Constables endeavoured to apprehend persons in the act of throwing stones, or to disperse those who showed a disposition to be more forward than the others. This state of things having continued until nearly dusk, the numbers from time to time varying, and their behaviour being occasionally more or less tumultuous, and it appearing some of them had, in the mean time, provided themselves with sticks, the Mayor, accompanied by the Magistrates, went out in front of the Mansion-house and addressed the people, remonstrating with them on the impropriety of their conduct, pointing out to them the danger of persisting in it, earnestly entreating them to disperse and go home quietly, and stating to them the necessity of the Magistrates using stronger measures unless this recommendation should have the desired effect. Stones were thrown at the Magistrates while this address was being made, one of which struck the person who was standing next to the Mayor, and knocked off his hat. But the earnest desire of the Magistrates to abstain from using force until the last possible moment, prevented them from having recourse to it until some time had elapsed. About 5 o'clock, however, upon the approach of evening, the number of people appearing to be considerably

increased and their conduct becoming greatly more violent, the doors and windows of the Mansion-house having been attacked with stones, and several of the Constables having been brought in severely wounded, the Riot Act was read, and this appearing to have no effect, an order was sent to the troops, who had been before directed to hold themselves in readiness, to come at once to the scene of action.

In the interval of more than half-an-hour, which took place before their arrival, the Mayor, and those who were with him in the Mansion house, were in the greatest personal danger. The people on the outside had driven in the Constables, torn up the iron-railings in front of the house, and with stones and large pieces of timber battered in the windows and window-frames, and the pannels of the doors, and were with the greatest difficulty prevented from forcing a complete entrance by having the windows and doors barricaded with beds and furniture; they had entered into the dining-room, and another room on the ground floor, and destroyed the contents, and had made such a breach in the large street-door as enabled them to rake and sweep the hall with stones and large bars of wood; and they had, as it appears, provided and placed straw in the dining room for the apparent purpose of setting fire to the house. Upon the appearance of the soldiers, the people withdrew from the attack, but did not disperse; and directions were given to Colonel Brereton, who came to the Magistrates for orders, to get the streets cleared; they however still continued to occupy the courts of the adjoining houses and the corners of the Square, near the Mansion-house, in considerable numbers, throwing stones at the windows and at the 14th dragoons, two of whom were brought in wounded. Col. Brereton came in from time to time to report to the Magistrates, and it appeared, from his statement, that the people were in very good humour, that he had been shaking hands with them until his own arm was tired, that their number was lessening, and that he should shortly disperse them by merely riding the troops about. It appeared, however, to the Magistrates, that their number was rather increasing than diminished, and that their conduct was tumultuous and violent, as they still continued to assail the house by throwing stones, and attempted to force their way into the kitchen and other parts of the building; and the Magistrates considered it necessary to have the people dispersed. Colonel Brereton was asked if he had any directions which prevented him from acting under the orders of the Magistrates; and answered that his orders were to be under their directions; upon which he was told that the Magistrates required him to clear the streets. The people were soon after driven from the Square, without any cut or wound being inflicted, and they retreated to the neighbouring streets, in one of which the soldiers of the 14th dragoons were exposed to great annoyance, by being pelted with stones, and being unable to follow the people with effect, as they retreated across the Quay to the ships, the lamps having been put out, and it being quite dark.

Upon one of the officers of the 14th dragoons coming in to complain of this, and stating that the troops would be uselessly sacrificed, and asking for permission to fire, one of the special constables offered to go with a party of 25 men, if they could be supported by the soldiers, and dislodge them; but this was given up upon Col. Brereton's suggesting that, in his opinion, they would soon become quiet, and go to their homes, if they were left unmolested, and saying he would be answerable for the peace of the city, and would patrol it during the night.

The Magistrates recommended the Sheriffs to call out the civil power of the county, and requested Capt. Shute, of the Bedminster troop of North Somerset Yeomanry Cavalry, to collect as many of his troop as he could in readiness by the next day.

It appears that during the night there had been some further insult and violence towards the 14th dragoons at some distance from the Square, which in the result led to a man being shot. Some few persons continued in the Square all night; early in the morning they began to collect rapidly, and by 7 o'clock there were many hundreds assembled. Col. Brereton called at the Mansion house, and ordered home the few soldiers who remained there; shortly after which, the people commenced another attack upon the Mansion-house, and tore down the barricadoes which had been fixed during the night, and entered in full force into the house. The Mayor and one of the Sheriffs with difficulty escaped over the roof, and got to the Guildhall. The troops were recalled, and the people again withdrew, but retained possession of the cellar, and drank the liquors. About half-past ten the 14th again returned to their quarters, being followed by the mob, and pelted with stones, which they returned by firing several shots in College-green; notwithstanding which, the mob continued to pelt and insult them up to their very quarters. The Riot Act had been read three times by one of the Aldermen, who remained on the spot, and addressed the mob, and entreated them to return to their houses; and soon afterwards the Alderman, in a conversation with Col. Brereton, requested the troops might fire; but the Colonel said that the troops would not and should not fire,—it would be of no avail, and the mob would be so infuriated that they might overcome the troops, and the city be given up to slaughter. The Colonel said it would be better to keep the mob in temper until the next morning, when a reinforcement of troops might be expected. Upon the arrival of the Mayor at the Guildhall a notice was issued, apprising the citizens that the Riot Act had been read, as stated in the Appendix, No. 2, also a notice, Appendix No. 3, requesting a meeting of the citizens at the Guildhall, to assist in restoring the peace of the city. The Mayor also gave notice that Sir Charles Wetherell had left the city, which circumstance took place soon after the first attack upon the Mansion-house, Sir Charles having retired from it to a house at some distance, and, by the advice of the Magistrates, withdrawn from the city.

About 11 o'clock intelligence was brought to the Guildhall that the mob were proceeding in considerable force to the City Bridewell, with the declared purpose of setting at liberty some prisoners who had been taken into custody, and committed thereto on the Saturday. At this time the Special Constables, (being principally tradesmen of the city), who had been on duty from eight o'clock on the Saturday morning, had returned to their houses, and only a few of the citizens had answered the Mayor's request, by coming to the Guildhall, and those who did attend expressed their readiness to act if they were supported by the troops, but at the same time their unwillingness to risk their lives unless they could be so supported. At this time Col. Brereton applied to the Magistrates for their authority to send the two troops of the 14th dragoons out of town, stating that the mob were so exasperated with them, in consequence of their having fired, that the lives of every man of them would be sacrificed if they remained. He was distinctly told by the Magistrates that they could not authorise or consent to this, and that if he sent them away he must be personally responsible. He also stated that those troops, as well as the 3d dragoon guards, were harassed and fatigued, as well men as horses, and could not render any assistance, or take any duty, for some time. The Magistrates remonstrated with him against this proposal, as the city would be left in a defenceless state; and as the Colonel still insisted on the absolute necessity of the measure, he requested the Magistrates to point out quarters for the men, at the distance of two or three miles from the city, which the Magistrates therefore did—informing him, at the same time, they could not relieve him of his responsibility in this respect, or be considered as sanctioning, in any manner, the proposed removal of the troops. He insisted also on the necessity of refreshing the 3d dragoon guards, and it is believed ordered most of them to quarters for that purpose. In a short time after this (the mob having carried Bridewell by force, and liberated the prisoners, and set it on fire, and being about, as was alleged, to proceed to the City Gaol for the like purpose) several citizens having by this time assembled at the Guildhall, in pursuance of the Mayor's requisition, and being called upon to give their assistance, stated, in Colonel Brereton's presence, that they would not act unless supported by the military. Colonel Brereton was again peremptorily desired to call out the troops immediately, and again gave for an answer that he could not do it, as their lives would be sacrificed without being able to do any good. The mob proceeded, as was expected, and succeeded in getting possession of that prison; two of the Magistrates having gone down with such civil force as they could collect, were driven back; the particulars of which, and the conduct of such of the troops as were brought out on that occasion, are detailed in the account furnished by the Sheriff in the statement which forms the Appendix, marked No. 4.

It appears that, with reference to sending the 14th dragoons out of the city, the officers and men were very unwilling to

go, that they were by no means in a state which made them quite unfit for service, and were anxious to be actively employed ; but Col. Brereton informed them that it was the order of the Magistrates they should go, and go they must. The mob having succeeded in liberating all the prisoners from the Gaol, proceeded for the same purpose, and with the same object, to the prison of Lawford's Gate, situated in the county of Gloucester, but in the immediate vicinity of Bristol, where they effected the same work of demolition and liberation. The Magistrates, by this time, had established themselves as well as they could in the Council house, the Sheriff and a party of the citizens remaining at the Guildhall, between both which places a constant communication was maintained, but no sufficient force either of Citizens or Special Constables could be obtained to enable the Magistrates to engage in further conflict, after the result of the endeavour to relieve the Gaol. About this time an attempt was made to set fire to the back of the Mansion-house, and there being six soldiers in the Square at the front, the circumstance was communicated to them, with a request that they would show themselves at the back in order to prevent it, which they refused, alleging that their orders were confined to keeping the front of the Mansion-house clear. From Lawford's Gate the mob proceeded, in two divisions, to the Bishop's Palace ; and the Mayor, with several persons who had been with him during the day, and followed by as many citizens as could be collected, went down to the scene of action, having given orders for all the troops which could be brought out to be there. The first division of the mob having entered, were followed by many of the Special Constables and the soldiers, who formed inside the court, and it was hoped the ringleaders might be secured : but just as the citizens came in contact with them, the main body of the mob were heard advancing. The Mayor, and the few persons who were with him between the two bodies, with difficulty passed through them ; and the Constables, who had attempted to secure some of the mob, on looking to the place where the soldiers had been posted, in the hope of finding support, observed that the soldiers were gone, and finding themselves deserted, got away as they could, declaring that they would not again venture their lives. The Palace was immediately set on fire and consumed. This was followed by the firing of two complete sides of Queen-square, containing nearly forty houses, including the Mansion-house, the Custom-house, and the Excise-office. During all this time, it will be seen that the Magistrates were wholly without any sufficient means of protection or defence, the mob appearing to have had complete possession of the city. There was no interval during which the Mayor and Magistrates were not at their post, except for a short time after their being driven from the Bishop's Palace, and retiring to a private house in Berkeley-square, of which notice was almost immediately given to Colonel Brereton, as stated in the Appendix, Nos. 5 and 6. About four o'clock, one of the Magistrates went to the quarters of the 3rd dragoon guards, and stated to the officer in command

the situation of the Square, saying that the whole of it would be consumed unless military assistance was instantly afforded. He expressed his readiness to attend, but said he could only furnish 24 men; he mentioned that a letter had been received from the Mayor; this appeared to be the letter No. 6 in the Appendix. The officer, at the desire of the Magistrate, went with him to Col. Brereton's lodgings, the door of the military office having been before tried in vain. The Colonel, upon being called up, and the circumstance stated, said it was of no use to take out those jaded troops,—they could do no good,—what could they do against such a mob? He was, however, strongly and repeatedly urged, and consented to order out the troops: in about ten minutes they were out, and, on proceeding to the Square, found in Prince's-street a warehouse in flames; and a mob of about six or seven hundred persons in front of it, which the troops dispersed, by charging up the street. On arriving in the Square, the mob, consisting of about six hundred more, were just commencing an attack upon the first two houses on the third side of the Square, two entire sides being in flames. The mob had entered the corner house with fire, and were battering the windows and door of the next to it. The troops formed in front of the two houses. The mob did not disperse, but continued round the soldiers. The fire in the corner house was extinguished and cleared, and, from the arrival of troops in the Square, no attempt was made to attack or set fire to any house.

About six o'clock the mob had separated into small parties of twenty or thirty, in different parts of the Square, which the soldiers were occasionally employed in dispersing. Upon one of those occasions a soldier was wounded by a shot fired by the mob; and, by a little activity on the part of the soldiers, the streets were ultimately cleared. In the mean time, having sent to Gloucester and other places for assistance, and the two troops of the 14th having been brought into the city from their country quarters, and Major Beckwith having arrived from Gloucester and taken the command of them, and receiving directions from the Magistrates to disperse the mob wherever they were found to be assembled in force, they were vigorously attacked. By these measures, and the arrival of a considerable number of troops of yeomanry from different parts of the country, the city was soon restored to a state of comparative peace and security.

I have laid before your Lordship, as simply and shortly as possible, an outline of the principal transactions which have taken place in this city, wishing to avoid comment or observation upon them. I believe every fact detailed can be fully verified. If any part of the statement should appear to require explanation, I shall be most happy to afford it, as I also shall be to continue the detail at any subsequent period.

I have the honour to be, my Lord,  
Your Lordship's obedient humble servant,

CHARLES PINNEY, Mayor.

To the Right Honourable  
Lord Viscount Melbourne, &c. &c.

[The following are the Documents referred to in the Magistrates' Statements, as the "*Appendix.*"]

## No. 1.

Council-House, Bristol, 27th October, 1831.

It being apprehended, from information received through various channels, that some indistress persons may be inclined to promote feelings of irritation and excitement on the arrival of the Recorder in this city, the Mayor and Aldermen most earnestly hope that all classes of their fellow-citizens, however they may differ on political subjects, will see the propriety of cordially co-operating to maintain peace and good order; and that they will abstain from manifesting any declaration of their opinions on so solemn and important an occasion as the delivery of his Majesty's Gaol, in cases affecting the lives of the persons to be tried for offences against the laws of their country. The Magistrates confidently trust that they may rely on the good sense and discretion of the inhabitants not to depart from that orderly conduct which has hitherto prevailed in the city; but should any disposition be shewn, tending to create disturbance, they feel it will become their imperative duty to use all lawful means for the apprehending and bringing to punishment all persons who may be found committing any breach of the peace or other illegal act.

By Order of the Mayor and Aldermen,

LUDLOW, Town-Clerk.

## No. 2.

Council-house, Bristol, Sunday, Oct. 50, 1831.

The Riot Act has been read three times. All persons tumultuously assembling are guilty of capital felony.

By Order of THE MAYOR.

## No. 3.

The Magistrates most earnestly intreat the assistance of their fellow-citizens to restore the peace of the city, by assembling immediately at the Guildhall.

Guildhall, Sunday Morning, half-past Ten o'clock.

## No. 4.

The Sheriffs of Bristol having been called on by the Magistrates to report upon the circumstances of attack upon the Gaol, have instituted an enquiry into those circumstances, and find that the Governor having received information on Sunday afternoon, about one o'clock, that the mob had attacked Bridewell, immediately resorted to the Mansion-house, to inform the Magistrates of the circumstances of the case, and to require assistance, when he found that the mob had obtained possession of the house, and that the Magistrates were gone up to the Guildhall. On his arrival there, two of the Aldermen, Mr. Hilhouse, and Mr. Savage, offered to accompany him back, and, having collected about thirty of the Citizens and Constables, they proceeded to the Gaol, which is a building surrounded by a wall of very considerable circumference, and although high, yet exposed to be scaled in every direction. The party, on arrival, found upwards of fifteen thousand persons surrounding the Gaol, and in front of the portal or entrance, and, on coming round towards the portal, they were attacked by stones and missiles of every description; several of the party severely hurt; Mr. Little, the Under-

Sheriff's partner, dangerously wounded with a sledge-hammer; and the whole division scattered; and an entrance was thereupon effected at the portal, by the mob, who were provided with tools they had obtained on their way to the Gaol, by breaking open an ironmonger and anchor-smith's shop. That immediately after the mob entered, about twenty-four of the 3rd dragoon guards came towards the spot, at a slow pace, and, as the troops approached, the mob fled in all directions. The troops moved to the front of the Gaol; but, as they took no offensive measures, the populace again drew near to it, there being then about one hundred persons of the mob within the walls.

The Governor, who had taken shelter from the mob, at a house immediately close to the Gaol wall, saw the Guards approach, and went towards them, when he saw them returning, without stopping at all, or interfering with the mob, the people cheering them, and some of the soldiery waving their gloves in return. The mob then obtained complete possession of the Gaol, liberated the prisoners, set fire to the Governor's house, which is consumed, and retained possession of the Gaol until Monday morning, when the cavalry having dispersed the people in the adjoining square, the possession of the building was recovered. The Sheriffs have also to report that the damage done to the Gaol itself is inconsiderable, with the exception of the destruction of the Governor's house.

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No. 5.

The Mayor of Bristol desires Colonel Brereton to consider himself fully authorised to take whatever steps, and give whatever orders, he, as the military commander of the troops in this city, may think fit, to restore and preserve, as far as possible, the public peace. The Riot Act has been read three times to-day. Col. Brereton will have the goodness to consider this order to apply not only to the troops at present under his command, but to any which may subsequently arrive in this city.

Mr. Daniel Fripp's, No. 30, Berkeley-square,  
Sunday night, 12 o'clock, 30th October, 1851.

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The Mayor of Bristol begs to inform Col. Brereton that if he should have occasion for the orders of a Magistrate, either the Mayor or some other Magistrate will be found at No. 30, Berkeley-square, Mr. Daniel Fripp's, the second house on the right hand on turning into the Square from Park-street.

Berkeley-square, 12 o'clock, Sunday night.

This communication is made to Col. Brereton, in consequence of Lieut. Macclesfield calling at the Council-house, and requesting to see a Magistrate; Col. Brereton was gone out when a call was made at the Staff station to inform him as above.

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No. 6.

Bristol, 5 o'clock, Monday Morning, 31st Oct. 1851.

Sir,—I direct you, as commanding officer of his Majesty's troops, to take the most vigorous, effective, and decisive means in your power to quell the existing riot, and prevent further destruction of property.

I am, &c.

CHARLES PINNEY.

To Col. BRERETON, or the Commanding Officer  
of his Majesty's troops.

Per Mr. GOLDNEY,

Mr. W. HARRIS, Jun.

*The Mayor's Report to the Commander in Chief.*

## COUNCIL-HOUSE,

Bristol, 4th November, 1831.

MY LORD,—I feel it my duty, as Mayor and Chief Magistrate of the City of Bristol, to lay before your Lordship a statement of a few facts relating to the unhappy transactions which have lately taken place in this city. Three troops of cavalry had been, upon the application of the Magistrates, sent to the neighbourhood, before the 29th of October, in order to assist in maintaining the public peace, on the occasion of Sir C. Wetherell (as Recorder) coming here to hold the Gaol Delivery on that day. The public entry of Sir Charles into the city, the reading the Charter at the Guildhall, and Sir Charles's arrival at the Mansion-House, had been effected by about 12 o'clock without having had recourse to the troops; and Col. Brereton, upon his application soon afterwards for orders, was told to keep them in readiness for immediate service when called upon, the mob which had accompanied Sir Charles having continued in front of the Mansion-house, and occasionally thrown stones at the windows, and having been in other respects noisy and violent. About five o'clock, the Constables having gone to the assistance of a man who was in danger at the distance of a few doors, two of them being brought in considerably wounded, and being ultimately driven into the Mansion-house, a violent attack was made by the mob upon the building; the iron railing in front was torn up, the pannels of the doors were forced, and the window frames beaten in. The Constables being unable to maintain possession of the hall, in consequence of the brick-bats, stones, and pieces of timber by which it was raked, the mob effected an entrance, destroyed all the furniture in the rooms on the ground-floor, and, as it appears, had provided and placed a quantity of straw in one of the rooms. Three dispatches were sent for the troops, who arrived about 40 minutes after they had been sent for, and relieved the persons in the Mansion-house from their critical situation. On the arrival of the troops the mob retired from the door, but continued to occupy the ground in front, in great numbers, at a very short distance; and as soon as the troops had passed the street, the mob returned again close under the windows of the Mansion-house, but without renewing any attempt to force an entrance. Col. Brereton was directed by the Magistrates to clear the streets, disperse the mob, and preserve the peace of the city. The troops under his direction continued at a slow trot to march round the Square, in which the Mansion-house is situated, and the communicating streets. The mob cheered the soldiers, and sung God save the King; and it appears that Col. Brereton addressed them, and shook hands with many of them. The mob continued at intervals to throw stones at the windows of the Mansion-house in different

directions; and, in a short time, two soldiers of the 14th dragoons were brought in wounded, one of them considerably. The Riot Act had been read at least two hours before; and upon these acts of violence continuing, the Magistrates urged Col. Brereton to proceed with more effect in getting peace restored. He dissuaded the Magistrates from directing a greater degree of force to be used, expressing his opinion that the mob appeared to be very good-humoured, and that he hoped and expected very shortly to get them away. In consequence of the disinclination he manifested, he was asked if he had any directions from your Lordship which prevented him from acting under the Magistrates' orders. To which he answered, my orders are to take the directions of the Magistrates. And, in reply to this, it was stated to him that the Magistrates' directions were to clear the streets, and to get the city into a state of quiet.

A charge in the interior of the Square was made, which in a few minutes dispersed the mob, and they retreated to a place called the Quay, to which the soldiers followed them, and were assailed by stones; they had before put out the lamps, and one of the cavalry officers came to the Magistrates to know if he might fire some rounds of cartridges down the street, as the mob, by retreating into ships, when driven by the cavalry to the brink of the Quay, preserved the means of annoyance, and rendered it impossible for the cavalry to get at them. One of the special constables proposed, with five-and-twenty men, if supported by the soldiers, to go and clear the ships; but this was given up, as was any further use of active force, it appearing, upon Colonel Brereton's statement, that they seemed to be peaceably inclined, and that he expected, if they were left to themselves, the city would be quiet. The military, therefore, continued merely to patrol the streets, and, with the exception of one short conflict, during which one of the rioters was shot by a soldier of the 14th, it is believed there was no disturbance until the morning. At day-break the people began again to assemble near the Mansion-house in considerable numbers. About 8 o'clock, and shortly after the soldiers were removed from the house, a violent attack with stones and iron bars was made upon the Mansion-house, which had been barricaded with planks during the night, and made as secure as circumstances would permit; and the mob were upon the point of forcing an entrance, when I, with some others, left the house, by going over the roofs. The mob immediately afterwards entered and took possession. Some time before my leaving the house, Col. Brereton had withdrawn the troops, having mentioned that the few troops there had no other effect than that of attracting the mob, without being able to render any service, and that they were much harassed, and must go to their quarters. Very soon after the troop had withdrawn, the mob entered into the Mansion-house, got possession of the cellars, and became intoxicated, and within 30 or 40 minutes after the troops had been sent to the stables, they were again called for, but, except a small party of the 3rd dragoon guards, did not stay long, and

the mob having followed and pelted the 14th, four or five shots were discharged upon them. Soon after this, I and several Magistrates being assembled at the Guildhall, Col. Brereton applied to us for our authority to withdraw the 14th from the city, stating that they were so much harassed, and had so much exasperated the feelings of the public, that they could not remain, except at the peril of their lives. Col. Brereton was told in answer, that the Magistrates not only could not authorise him to do so, but directed it not to be done, saying that the military had been sent down for the protection of the city, and that the persons and property of the inhabitants could not be protected without them. Col. Brereton stated that their staying would be utterly useless; they were harassed and worn out, and wanted refreshment, and were altogether insufficient in their present condition, and that it would be many hours before they would be fit for service again. He was told, if he sent them off it must be done upon his own responsibility, and that the Magistrates would not relieve him from it; at the same time, upon his asking where it would be best for them to go, it was stated that the Magistrates would not embarrass him if they could not assist him, and, subject to his responsibility, recommended Brislington as the nearest quarters.

Soon after this, information was brought that the mob was proceeding to Bridewell to release the prisoners, and several of the inhabitants having assembled at the Guildhall, in pursuance of a requisition of the Magistrates, they refused to act without the assistance of the troops. Col. Brereton was desired to bring the troops into immediate service, and some time afterwards was asked, before the citizens, if he had ordered out the 14th, as well the 3d dragoon guards? He stated that he had not and could not do so; they would be useless, and it would endanger their lives. He was remonstrated with upon this, and told expressly that the Magistrates demanded and required their protection. I find that, upon his going to the quarters of the 14th, and desiring them to go out of town, they were unwilling to do so, and expressed the utmost readiness to act, but that they were told by the Colonel that it was the Magistrates' order, and that they must go. I find also that the horses, at that time, were by no means in a state incapable of service. From this time, up to eight o'clock in the evening, at which time the Bishop's Palace was fired and destroyed, and the mob had set fire to the Mansion-house, (in the mean time the Gaols of Newgate, Bridewell, and Lawford's Gate having been fired, and the prisoners discharged) the Magistrates had no assistance from the military, and, as I believe, no effort whatever was made to render any—except that some soldiers marched to the Gaol when it was first attacked, which might, I believe, have been successfully defended, if the troops had not almost immediately retired—and except also that a few troops went to the Bishop's Palace, in aid of the Constables, and withdrew from it when the Constables came in contact with the mob—and

also except about six or eight men who patrolled near the Mansion-house. Having gone to the Bishop's Palace upon the first alarm, with several of the Special Constables, and they having been, as I have understood, in contact with the mob, and having been disappointed by the retirement of the troops, just about the time when a fresh body of the mob were coming up, I went to the house of a friend in the neighbourhood, from which, in the course of the night (first at 12, and afterwards at three o'clock in the morning) I sent urgent requisitions to Col. Brereton for assistance ; not only the Mansion-house and Custom-house were burning, but other houses had been set on fire, and by the time the troops were taken down to the spot, through the personal application of a Magistrate, two sides of the Square, consisting of nearly forty houses, were burning ; but, upon their coming down, the mob desisted from further attempts.

On the Monday, Major Beckwith, of the 14th, came from Gloucester, and, the division of the 14th having been brought back, took the command of the cavalry, and, under the sanction of the Magistrates, charged the mob wherever they were assembled in bodies, speedily dispersed them, and in a great measure, restored peace and security to the city.

I have considered it proper, with the concurrence of my brother Magistrates, to submit this statement to your consideration, not intending to make any charge or insinuation against any body, but thinking it proper that the causes of such an awful calamity as the city has experienced should be enquired into.

I have every reason to believe that the conduct of the soldiers and their officers was entitled to your Lordship's approbation ; but I doubt very much whether the military assistance afforded to us by his Majesty's Government was employed as it might have been, and as the pressing exigency of the case required.

I have the honour to be, my Lord,

Your Lordship's very obedient humble servant,

CHARLES PINNEY,

Mayor.

*To the Right Honourable*

*Lord Hill, &c. &c.*

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HOUSE OF COMMONS.—December 6, 1831.

*Sir Charles Wetherell's Statement.*

[The speech of Sir Charles Wetherell, in the House of Commons on Tuesday, is of such peculiar importance as regards the late disturbances in Bristol,—his defence so complete,—and his exposure of the falsehoods unblushingly put forth by the Radical Press so unanswerable,—that we are induced to give it a prominent place in our columns.]—*Felix Farley.*

Sir C. Wetherell said there was one passage in his Majesty's speech which referred to a subject on which he felt a great anxiety to express himself; and he had no doubt that the house on all sides would honour him with its attention. (*Hear, hear.*) His anxiety arose from several considerations: first, from a consideration of the duty which he owed to the public; 2ndly, from a consideration of the duty which he owed to the laws; and, lastly, from a consideration of the duty which he owed to himself. He alluded to that part of the King's speech in which reference was made to the late calamitous occurrences at Bristol. (*Hear.*) For reasons which were perfectly obvious, the speech omitted to go into the history of those disastrous occurrences. Indeed, as the inquiries into the circumstances out of which they arose were at that moment in progress, until they should have been concluded it would have been highly improper to go into a detail of facts the true nature and extent of which had not yet been clearly ascertained. He had been charged by the Press in most parts of Great Britain and Ireland with being directly the author of all the disasters that had befallen Bristol. But if the smallest part of those calamities were really attributable to him, he would be content to retire in shame from that hon. house, and to hide his diminished head in the obscurity to which public indignation and contempt might justly drive him. (*Loud cheers.*) But yet that charge had been reiterated from time to time by all the Press of London, and especially by those writers who avowed that they had communications with the existing Government—who asserted from time to time intelligence was communicated to them by the members of the Government, and who had, at all events, given information to the public which they could get only from the Government.—(*Hear, hear.*) Now, it was not to be inferred that he found fault with the Government for so communicating with the Press. But in all those Journals the charge had been made against him that he went down to Bristol, in the exercise of his functions as a Judge under his Majesty's Commission, contrary to the remonstrances of the Government, and of the Magistrates of that town—that his doing so was the effect of indiscretion, obstinacy, foolhardiness, and a wish to stimulate the people to acts of violence: in short, that his conduct was influenced by every unworthy motive, which the remonstrances

which were made to him could not restrain. Now, he would say plainly, that that statement was in every part of it false, base, and scandalous. (*Hear, hear, hear.*) If he were to go over and comment upon every species of calumny with which he had been assailed, it would be necessary for him to occupy the house—he would not say four-and-twenty hours, but four-and-twenty days. (*A laugh.*) But when newspapers, which were in communication with the Government, made those attacks upon him and represented him as the author of the calamities at Bristol, he was compelled to assert, that some members of the Press were become tyrannical, base, and slanderous—(*hear*)—for many of those who made such assertions respecting him, knew well that they were false. (*Hear, hear.*) How stood the case? A gentleman, connected with the office of Recorder of Bristol, called on him in the ordinary discharge of his duty, some time previous to the period fixed for the gaol delivery in that city, and he informed him that he did not think it safe for the Recorder to enter Bristol in the usual manner to perform his duty on the occasion then approaching, without the protection of a stronger force than the civil authorities had at their disposal. In consequence of the information he had thus received, he consulted with the Magistracy, and he found them to be of opinion that the constabulary force which they could obtain would not be sufficient to prevent riot; and it was accordingly decided that a deputation should wait upon the noble lord (the Secretary for the Home Department) to represent to him the necessity for a military force. It might be asked why did not he (Sir C. Wetherell) attend with that deputation? His reason was this, that if the noble lord and the deputation should have occasion to enter into any discussion relating to him, he might furnish them by his absence an ample opportunity to do so. (*Hear, hear.*) Those gentlemen were then informed by the noble viscount, that military assistance should be furnished to the Magistrates, and a request was made that he should attend with the deputation at another interview. In two days afterwards, he believed, he did so. Here, then, was one instance in which it was communicated to the Government that military assistance was necessary for the protection of the Judge in the exercise of his duty. Word was then sent down to the authorities at Bristol, that every thing should go on as usual. Honourable gentlemen opposite were aware of the truth of his statement, and he was sure that it would be confirmed by the members of his Majesty's Government. (*Hear, hear, hear.*) Now if they saw that military assistance was necessary to preserve peace at the entry of the Judge, and that that was a sufficient reason for the suspension of the general gaol delivery, surely they would have stated that, either at the first interview with the deputation, or at that which he (Sir C. Wetherell) was present. For his part he did nothing more than send down word, as had been agreed upon, that every thing should go on as usual. (*Hear.*) He trusted that the house was now satisfied that he had given a full and flat contradict

tion to the gross calumny which had been kept up in the London newspapers for nearly a fortnight, and from thence was poured through the arteries of the press into every part of the country, and was conveyed back through the veins, having undergone the usual alterations in its course. (*Laughter*) With whatever glory the slander might appear in the *Times* of the morning, additional brightness was shed upon it by *The Sun* in the afternoon—(*A laugh*)—and the *Courier* at length took it off to Paris—(*Laughter*)—neglecting nothing by the way that could make it more astringent, acrimonious, and offensive. (*Hear.*) Well, the French papers assured the public that his (Sir C. W.'s) conduct was greatly condemned indeed by the *coteries*—that was the word—(*A laugh*)—but he did not know whether they meant the *coteries* of *La rue des Tuilleries*, or those of *La rue de la Paix*. (*A laugh*) He only knew that the conduct of the humble individual then before the house was most unsparingly assailed on all sides. He need not tell the house that the press of Ireland kept pace with that of England, and attacked him with no less vehemence and injustice. All this might seem more than a man ought to endure without repelling it, nor would he have borne with it, but that he should have been unworthy of his station as a Judge—he should have degraded himself as a gentleman—(*Hear*)—he should have forgotten his dignity as a member of the English Parliament—if he had surrendered his right of opposing the Reform Bill, and of stating to that house, and to the country, fully and fearlessly, the grounds of his opposition. (*Cheers*) He would not consent to surrender any of those rights, by entering into a controversy with the newspapers for the purpose of refuting the slanders of his numberless assailants. Indeed, to do so it would have been necessary to write letters to every editor in England, informing him that he had been altogether misinformed as to his (Sir Charles Wetherell's) conduct. (*A laugh*) That course he would not consent to take, but he did hope the time would come when, in that house, he should have an opportunity of explaining himself, and of showing to the nation that which every candid man connected with the Government must acknowledge to have been the true nature of the occurrences. Again, it had been said that a deputation from the Magistrates of Bristol waited upon him in London, to dissuade him from going down, and that, subsequently, another deputation met him at Bath, for the same purpose. But that was not the truth. He had already explained the nature of the communication which he had had with the deputation to London, and the gentlemen who waited upon him in Bath did so for the purpose of communicating to him the very judicious arrangements which had been made for the purpose of protecting the procession. It was determined, and, as he thought, very properly, that the military, which the Government had placed at the disposal of the Magistrates, should not be displayed parading the streets, as forming part of the procession, but that they should be kept under cover; and, in

fact, if it were not for the Political Union, it would not have been generally known in the city that there was any apprehension of military assistance being likely to be required. It was thought right to avoid the excitement which that might have occasioned. But he would not go into a detail, which had, very properly, as he thought, been abstained from in the speech. It was not true that he *disappeared* from Bristol as had been said—(*A laugh*)—until after the bed of the Chief Magistrate had been taken off the bedstead, and put in the window of the Mansion-house, to make a barricade. Then he certainly did think that the presence of the Judge was no longer necessary. (*Hear, hear.*) The gaol delivery was terminated, and at six or seven o'clock in the evening of the Saturday he left the town, so that every thing which occurred on the Sunday and Monday took place without his knowledge. He thought that he had now said enough to exculpate himself in the eyes of the house. (*Hear.*) If he had not done so, he might appeal to the liberality—might invoke the spirit—might challenge the courage of any man in that part of the house, and he might ask him with respect, would he stand up in his place, and tell him (Sir Charles Wetherell) what course, in the same circumstances, he would have pursued? (*Hear, hear, hear.*)—No, he knew he should not be so answered in that house. He knew that no man there could go within a hundred leagues of telling him what imputations, what sneers, what insults, what terms, inconsistent with the respect due to a gentleman and a member of the House of Commons, would have been poured upon him by the many-tongued, many-fanged, foul-mouthed, venomous Press of England. Would it not have been said that he had basely and falsely declined to attend to his duty through a feigned apprehension of tumults which no one else had ever dreamt of? Would it not have been said that he was a false and deceitful Anti-Reformer—that he had invented the tale of projected riots, and that, with the cowardice which is the constant companion of falsehood, he shrank from encountering the danger which his own invention alone had created? (*Cheers.*) The newspapers to which he alluded had not even yet exhausted their calumnies, and had not ceased to throw out imputations, base, false, and unjust, respecting the disasters of which they stigmatised him as the author, and the reasons for which his name had been omitted in the commission appointed to try the rioters. The hon. gentleman opposite, who seconded the address, made some allusions to those matters, and he (Sir C. W.) wished to make one or two observations in reply. That gentleman asserted that the transactions at Bristol had not grown out of the reform question, or, in other words, that the delinquents were not reformers, but strangers to the city, and outcasts, who were ever ready to take part in riot, and to seize opportunities of pillage. It was extremely difficult to show what part of the motives which actuated the rioters was love of reform, and what part originated in other feelings. In one thing, however, he agreed with the hon. gentleman, that no respectable citizens of

Bristol took part in the tumults. But he would neither affirm nor deny that reform was one of the causes. He had a paper before him, to which he would call the attention of the house, not only as related to Bristol, but as to the proceedings of the Political Unions throughout the kingdom. In that document the Bristol Political Union assumed the power of deposing the Magistrates and the Recorder of that city. It began by expressing the surprise of the Union that the Magistrates should have called in the troops to protect the entry of Sir Charles Wetherell into the town; and then it went on to say, that if the Magistrates felt themselves unable to preserve the peace of the city, they ought to retire from their office and allow Magistrates to be elected by the votes of the citizens. Thus the Union first created the disturbance, and then told the Magistrates, that if they could not put it down, they must resign, forsooth. (*A laugh.*) Then they proceed to say, that men clothed in the robes of the Magistracy ought not to be politicians. Well, certainly that was rather a strange doctrine. He wondered what my Lord Brougham and Vaux would think of it, for, of course, it must be taken to apply to him. (*Laughter.*) But for his part, he (Sir C. Wetherell) saw no reason why a man should be precluded from forming opinions on great questions concerning the interests and happiness of his country, because he was entrusted with the administration of its laws. (*Cheers.*) There was nothing incompatible or inconsistent in the two characters of Judge and politician. (*Hear, hear.*) But the Union thought otherwise, and "recommended Sir Charles Wetherell to retire from the office of Recorder—(*A laugh*)—as the best means of preventing riot, and, perhaps, bloodshed." So then, all they asked was merely that he should retire, that the Corporation should lay down its privileges, and allow them (the Union) to elect a Recorder and Magistrates. (*Laughter.*) He could not say how they meant to regulate the franchise—whether it was to be universal suffrage or limited to the ten-pound householders. But they gave the Magistrates this election, that if they were not able to put down the tumults without the aid of the military, then every crime that should be committed should be attributed to the Corporation, and its charter must be resigned. They concluded their address by "exhorting the people in the mean time to keep the peace, as the only means of obtaining the rights which they were seeking." Having deposed the Magistrates, and having talked about riots and bloodshed as the consequences of the Corporation not pursuing the line of conduct which they pointed out, then they concluded, like the authors of most documents of that kind, exhorting the people to peace. He would repeat, that he could not undertake to say what share in the motives of the rioters was to be attributed to reform; but he could not but think that they who put forth that paper on the morning of the day on which the tumults commenced, were much more the authors of those disorders than was the individual to whom the whole had been ascribed. (*Hear.*) As to

the Commission which was about to be sent down, he would only say, that if the word promptitude, which the honourable gentleman opposite had used in his speech had occurred in the address, he (Sir C. Wetherell) would certainly have moved an amendment—a course which he would be by no means willing to follow. In that case he should have been compelled to refer to what occurred some time ago at Nottingham, when (as he had on a former occasion shown the house) the castle of a noble duke was attacked because he was an Anti-Reformer. He had then taken the liberty of stating, that if once it was allowed that vengeance should be wreaked upon any man for his political opinions, there would be no safety for the person or property of any man; and the partition wall which divided the castle of the Duke of Newcastle from the mansion of any reformer was too thin to prevent the conflagration from devastating the latter. (*Cheers*.) What had actually occurred since? Why the custom-house of the Chancellor of the Exchequer, a reformer, had been burnt to the ground. (*A laugh.*) When disturbances and tumults have once arisen, they frequently assume, in their progress, a new character wholly unconnected with the causes which, in the first instance produced them. (*Hear, hear.*) When, therefore, a castle was burnt down by a riotous mob, solely because its owner held obnoxious opinions, he (Sir C. Wetherell) exhorted the government to send down a Special Commission. But there was no promptitude then. (*Cheers.*) Neither did he see any signs of promptitude at present. Speaking on the subject of the Commission, he must say that he did not know on what grounds the Mayor and the Recorder had been passed over. He had put in his claim to be named on the Commission. He had a right to be placed upon it, and he had sent a written communication to that effect to the Secretary of State and the Lord Chancellor. It was certainly that species of right which might be superseded by expediency. But in this case, what was the expediency? Was it not indirectly imputing to him that this was a case in which personal feelings might interfere with the just and impartial discharge of his duties as a Judge? That was a stigma which he was honestly desirous to avoid, and he therefore claimed his right to be nominated in the Commission—(*Cheers*)—and he made the same claim on the part of the Corporation, and of the Aldermen who constituted the Court sitting at the gaol delivery. (*Hear.*) He would not charge the Government with intending to do any thing personally offensive to him, if he could not prove it, nor would he charge them with degrading the Corporation, if he had no reason to believe they did so. He thought, however, that they had committed a great error in not putting in the Commission every name that was in the Commission of the General Gaol Delivery. For now it would be said, that they gave way to the Union. (*Hear.*) It was true, they had given way to another Union, and they corresponded with another. (*Cheers.*) He would, while upon this subject, notice a matter which had been made a prominent topic

in the speech from the throne—it was that a new municipal force would be required for the preservation of peace in this country. The plan was not very clearly traced out; something was indicated, but nothing very definitive was stated; and, at all events, it was to be hoped that nothing special against Bristol was in the contemplation of his Majesty's Government. (*Hear, hear.*) Sir Charles concluded by saying, he hoped he stood before the house, with regard to his moral conduct, as completely acquitted as he felt entitled to be—as, indeed, he had been by all on one side, and as he expected to be by many on the other.

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[*From Felix Farley's Bristol Journal, Dec. 10, 1831.*]

**SIR CHARLES WETHERELL.**—The following is the justification of the visit of Sir Charles to hold the Gaol Delivery in this city in October last, pronounced in the House of Commons by the *Chancellor of the Exchequer*. Surely after this we shall hear no more from the Reformers that Sir Charles came here unadvisedly, or without the full sanction of his Majesty's Government:—

“ The hon. and learned gentleman (Sir C. Wetherell) had made some remarks for the purpose of exculpating himself from certain accusations which had been made against him, and he (Lord Althorp) was ready to confirm all that part of the statement of the hon. and learned gentleman in which he denied that the Government had remonstrated against his going to Bristol. (*Hear, hear.*) The Government had done no such thing, *and if it had done so it would have acted most improperly.* The Government knew that the hon. and learned gentleman being Recorder of Bristol, the Sessions could not legally be held in the city without his presence. It was the duty of the hon. and learned gentleman to attend at those sessions, and it was the duty of Government to protect him in doing so. (*Hear.*) That duty he would contend the Government had performed, but, for reasons already stated, he would not then go into that part of the question. **THE LEARNED GENTLEMAN WAS THEREFORE QUITE ACQUITTED OF HAVING GONE TO BRISTOL IN SPITE OF THE REMONSTRANCES OF THE GOVERNMENT, AND HE HAD ONLY DONE HIS DUTY IN ATTENDING AT THAT CITY AS HE HAD DONE.”**

[The object of the following Narrative is evidently to praise the exertions of the military, to whom (with one exception at least) the citizens of Bristol are deeply indebted. The writer has, however, inflicted the lash of his censure on some parties with more severity than truth. Nevertheless the Narrative is highly interesting, and will deservedly take its place among the records of the memorable "Three Days."]

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*From the United Service Journal.*

Whenever and however the armed force of the country may be actively employed, it is our special province to record the nature and results of their services. The recent Riots at Bristol, contemptible in their origin, but formidable in their unchecked growth, having been finally put down by military force, it behoves us to describe the proceedings of the troops employed, and the circumstances which called them into action. We shall speak only upon the testimony of eye witnesses, confining ourselves to facts, and discarding other partizanship, save the advocacy of truth and duty, whether public or professional. The session of gaol delivery having arrived, the Recorder of Bristol, Sir Charles Wetherell, proceeded to that city, with the full concurrence of His Majesty's Government, to discharge his important and imperative duties. We need not describe the political opinions of Sir Charles Wetherell, nor point out to unprejudiced persons, how distinct, under a Constitution like the British, are the views of the senator in debate and the decisions of the judge upon the judgment-seat. The Recorder of Bristol attempted to fulfil, though, it appears, at the hazard of his life, a public duty, to have shrunk from which, under the peculiar circumstances, would have exposed him, and with justice, to charges which no public functionary or man of spirit would deliberately incur. His advent, however, was made a pretext for outrages of the most wanton and atrocious character. It is a lamentable omen of degenerate feeling in a free people, when a manly independence of opinion and bearing subjects individuals to personal violence, or even martyrdom; while the basest sycophancy and abnegation of principle are recognized as legitimate claims to the honours of a rank popularity.

The arrival of Sir Charles Wetherell at Bristol, on Saturday, the 29th October, was the signal for riot and pillage. Scenes ensued, and continued for three days, which will remain infamously memorable as regards the city of Bristol, its magistrates, and inhabitants; while the part performed by the handful of troops employed on this deplorable occasion, gives the army an additional title to the confidence and gratitude of the country.

The city of Bristol is one of the most defensible in the kingdom, being intersected and in parts almost insulated by a deep and muddy river, crossed by several drawbridges, while the ground gradually rises from the right, or northern channel, with open spaces on the most central and commanding points. These last-named localities, though offering little obstruction to the operations of cavalry, were, by some unaccountable infatuation, suffered to remain for three days the principal scenes of riot and destruction. The troops present in the vicinity of Bristol on the 29th of October, were a squadron of the 14th light dragoons, commanded by Capt. Gage, and Capt. Warrington's troop of the 3rd dragoon guards. The superior command devolved on Lieut.-Colonel Brereton, Inspecting Field-Officer of the district, as senior officer on the spot. The force prepared to meet a danger, of which early and sufficient notice had been given by the local authorities, was numerically inadequate to the occasion; yet did the small band in question prove fully equal to the emergency, although paralysed for a time by causes independent of their own efficiency and spirit. From the beginning to the end of these Riots, there was not a single moment at which the dragoons, while suffered to retain their ground, were not both fit and ready to act, if directed to do so, with prompt and decisive effect. It is evident from the result, that a moderate display of vigour and decision in the first instance, might have arrested the progress of these destructive and disgraceful riots—nor is there any inference more clearly established by experience than that the “soothing system” but adds fuel to the course of lawless outrage. The most painful, invidious, and difficult position in which an officer can be placed, is that which involves duties similar to those imposed on the troops at Bristol. Here, however, his path was pointed out by the law itself, whose sword was put into his hands. The first duty of an officer is certainly the care of the soldiers committed to his charge—a duty which by no means embraces a tender regard for the passions and persons of rebels and robbers, seeking to destroy or disable those very soldiers—the former outraging the laws, the latter upholding them. How then are we to estimate the judgment, the patriotism, *or esprit de corps* of an officer, who, justified at all points, even on the score of humanity, acting with energy, and appealed to by every motive most cogent with a manly mind, yet chooses to decline the coercion of outlaws, whom to attack was to defeat, to spare but to encourage; who turns the tables upon his own men, summoned to protect an assaulted city; and who, by this act, and others equally *considerate*, virtually incapacitates the troops from effecting the sole object of their presence, and renders them the butt of savage triumph and murderous ferocity!

If we combine the excesses on the one side and the deficiencies on the other, which marked this audacious tumult, it will be difficult to find its parallel in history. It furnishes, however, a pregnant lesson at the present crisis. It has developed the actual views and dispositions of the populace, whom liberal

sycophants style “ the People.” It has displayed in their natural colours the debasing selfishness, the sheer poltroonery of those who, affecting the language of the patriot, but shrinking from the duties of the citizen, coolly contemplate the progress of pillage and conflagration, till the destroyer knocks at their own doors—who spurn the contamination of a judge, recusant of their political creed, but crouch with a servile fear beneath the brand and the bludgeon of excarcerated felons—who cry aloud and lament them at the decay of independence and the growth of slavery—yet prostrate themselves, their families, and their possessions, at the first summons, before the Fiend of Anarchy! Finally, it has taught, in legible characters, the value of the army, by which the peace of the country is actually preserved ; and has dissolved by the practical test of experience, that most mischievous of bugbears, the physical-force delusion ; teaching, by facts, the utter futility of the demagogue’s doctrine, and proving to demonstration the immeasurable superiority and devoted spirit of the troops. Woe to the traitors who would still doubt their loyalty and brave their power !

The immediate origin of these riots is well known : the military details which follow are derived from unquestionable sources. In stating facts, we are compelled, in justice to the troops, to draw inferences, which, whether favourable or not to the commander, are clear and not to be evaded. It is far, however, from our purpose to prejudice the case of Colonel Brereton—now submitted to a Court of Enquiry ; while, on the other hand, our information, and it is accurate, allows us no grounds for acquitting him of the mismanagement of the troops placed under his orders. With his private motives or opinions we have no concern. In order, however, to deal even-handed justice as far as our present means permit, as well as to embrace the whole subject, we shall give the Narrative of Major Mackworth, which in some points is favourable to Col. Brereton, together with the statement addressed by the Mayor of Bristol to Lord Hill, which is throughout criminatory of that officer.

On Saturday the 29th, when the riots were considered serious, a squadron of the 14th had been the greater part of the day in the New Market, where Col. Brereton, at five o’clock in the evening, came to them, and having desired one troop to go to their quarters to feed, he directed the other, commanded by Capt. Gage, and a troop of the 3d dragoon guards, to follow him to Queen-square, where on their arrival they found a large mob assembled and attacking the Mansion-house, the whole of the windows of which they had broken. Some of the rabble addressed the Colonel, but what they said was not heard ; the Colonel then took off his hat and cheered, as also, from a sense of military etiquette, did the officer in command of the 3d and some of the men ; but which condescending example was not followed by the 14th. Upon Capt. Gage applying to Colonel Brereton for orders, he was told to move his men about, and by *kind words* endeavour to disperse the rioters, but without *drawing swords!* This recommendation had reference to an

unlawful assemblage, actually engaged in the destruction of property and an attempt on the lives of the public authorities. During this manœuvre the Colonel frequently talked to the mob and cheered with them! The outrages and violence of the rioters increasing from impunity, about eleven o'clock the Colonel ordered Captain Gage to clear the streets, but not to hurt the people!

From that time, until ten o'clock on Sunday morning, the streets were patrolled by only a few detached parties, which were then called in, and the whole troop was ordered to Queen-square. On their arrival the mob commenced hooting and pelting the 14th, calling out to Colonel Brereton to send away the *Bloody Blues*, as they termed the 14th. The Colonel, with the same deference to the desires of the sovereign people which he had so strongly evinced from the commencement, desired the officer of the 14th to retire to their billets, but the attempt to obey only encouraged the insolence of the mob, who attacked and pressed on with such audacity that the troop were obliged to charge in their own defence, and ultimately to use their pistols to prevent being torn from their horses. Upon arriving at their billets, Colonel Brereton ordered Capt. Gage to march the whole squadron out of the city, as the mob had sworn to come down and murder every man:—(Did it follow that they could?)—but as the officer did not hurry himself in going, the order was repeated with great impatience, and upon being asked by the officer where he was to go, the answer was, *where you please*—only get away as fast as you can. The squadron then marched to Keynsham, five miles distant, leaving the town and the lives and property of the inhabitants at the mercy of an infuriate mob.

On Monday morning, fortunately for the devoted city, Major Mackworth, who had exerted himself very zealously upon this occasion, rode with all speed to Keynsham, and ordered back the squadron of the 14th. About eight o'clock they returned, accordingly, to Queen-square, and after remaining there for some time, they were ordered to their billets to feed.

A requisition from the Mayor of Bristol for an additional force of the 14th dragoons having reached Gloucester at two o'clock on the morning of Monday the 31st October, Capt. Congreve's troop was ordered to march immediately to Bristol, whither Major Beckwith, with the Adjutant, proceeded in a post-chaise without delay, arriving at the Council-house at seven o'clock, a.m. In reply to Major Beckwith's inquiries, the Mayor and Magistrates could only inform him that the squadron of his regiment had been sent out of the town, but they knew not where—that it was ordered to return, but they knew not when—and referred him to Colonel Brereton.

The Magistrates farther stated, that the city was under the complete dominion of the mob, and that they retained no authority whatever. Major Beckwith then urged that one or more Magistrates should accompany him on horseback, and pledged himself speedily to restore order. This proposition

they all repeatedly refused, upon the plea that it would make them unpopular, and expose their property to destruction. Thus left to himself, Major Beckwith demanded and received a written authority to take whatever measures he might judge necessary for the restoration of order. The Magistrates added, that the Riot Act had been repeatedly read. Major Beckwith and the Adjutant then proceeded to inspect the state of the city, and ascertain if any obstacles had been prepared to impede the troops. In Queen-square they found a party of the 3rd dragoon guards; and shortly after Colonel Brereton came up. Much trifling on the part of the latter followed—the details of which we withhold, as we do many other particulars not necessary to our purpose, and of which cognizance will doubtless be taken elsewhere.

On the arrival of the squadron from Keynsham, Major Beckwith assumed the command. It was dismounted and placed in the yard of Fisher's livery-stables; where it had scarcely remained a quarter of an hour, when it was reported to Major Beckwith, that the mob was plundering the Bishop's Palace. The squadron was instantly ordered to mount, and, in its progress towards the remains of the palace, was furiously assailed with bottles, stones, and other missiles. The order to disperse the mob in that part of the town was immediately given, and as promptly executed. Scarcely was this accomplished, when, bearing that the rioters were still plundering in Queen-square, and about to set fire to other houses, Major Beckwith proceeded thither with his squadron at a rapid pace, and finding the mob in the act of pillage, and being again attacked with the same missiles, the order to disperse them was repeated, and as completely effected as upon the previous occasion. The squadron then proceeded along the quays and principal streets, dispersing every lawless assemblage it met with. These vigorous measures quickly restored tranquillity to the city, and saved it from ruin. During these operations the conduct of the 14th was admirable—and Major Beckwith, on reporting his proceedings to the Magistrates, received their unanimous approbation.

Earlier on Monday morning the troop of the 3rd dragoon guards, directed by Major Mackworth, in the presence of Col. Brereton, had charged and dispersed the mob in Queen-square. A soldier of this small party, which behaved with great spirit when let loose, was wounded by a gun-shot discharged by the rioters.

The 14th having been again placed in Fisher's livery-yard, patrols were detached in every direction to scour the vicinity of the city. One of these, having returned about three o'clock, reported that the rabble driven from the town by the cavalry, were robbing the people and plundering the houses on the Bath road. The men were immediately mounted, and Capt. Congreve's troop, which had now arrived, having been left, with the troop of the 3rd dragoon guards, dismounted on the Bridge, the remaining squadron proceeded at a quick pace on the Bath

road. It came up with the rioters about four miles from Bristol, instantly dispersed them—capturing some, who were lodged in the Council-house. By this movement tranquillity was restored to the neighbourhood, as it had previously, by similar means, been secured to the city; which, it will be seen, is, and avows itself to be, under the deepest obligations to the 14th and their active and intelligent commander.\*

During the last named service, Colonel Brereton came up with the troops upon the Bath road, and while returning to Bristol issued his *first* order to their Commanding Officer. That order was, under all the circumstances, not a little remarkable—but we shall leave it, with other singularities, to the impartial judgment of his peers.

In the course of these riots, the 3rd dragoon guards, though, from their small numbers, not so prominently employed as the 14th, and, to a certain extent, paralysed by the inexplicable supineness of the Senior Officer, to whom it was natural that they should look for an example, conducted themselves with steadiness and obedience to orders. Major Mackworth, who had the best opportunities of observing their conduct, speaks of it in high, and, we doubt not, deserved terms. It is to the unusual cause abovementioned that this troop, with Col. Brereton at its head, was made to stand by for hours close to the Mansion-house, and look on while it was plundered and fired, without offering effectual hindrance to the insurgents, of whom, on the contrary, they were placed in the disgraceful predicament of *appearing* the allies! It was the same perverse influence which degraded them into an *apparent* partnership of purpose with the felon-assailants of the Gaol, and the incendiaries of the Bishop's Palace, paralysing the public services, and prostituting the presence of a gallant troop of British dragoons, at a moment so critical to life and property!

\* Major Beckwith, of the 14th dragoons, has received the following letter from the Mayor of Bristol:—

“ Council-House, Bristol, Nov. 8.

“ Sir,—I am desired by my brother Magistrates to offer you our sincere thanks for the prompt decision and effectual assistance which you afforded to the city immediately on your arrival, and also to the officers and soldiers of the 14th Light Dragoons under your command.

“ We feel that it is due to the officers and privates to express our sentiments, that even before your arrival the fullest reliance might have been placed upon them; and we cannot but consider their removal from the city on Sunday morning as the unfortunate cause of the calamities which fell upon it on that day and the following night.

“ We are fully assured that the order to withdraw was submitted to with great reluctance, and we hope that you and your officers and soldiers will do us the justice to believe, that the order did not proceed from the Magistrates of Bristol.

“ I have the honour to be, Sir,

“ Your very obliged and obedient servant,

“ To Major Beckwith, commanding  
14th Light Dragoons.”

CHARLES PINNEY, Mayor.”

Even the degrading imputation, attempted to be fixed upon these brave men by the enemies of order, namely, of having voluntarily cheered *in concert* with a mob of incendiaries and felons, owed its origin, in fact, to a mistaken sense of discipline, a quality which has hitherto so eminently characterized the 3rd dragoon guards; the officer on the right of the troop, on entering Queen-square, thought it proper to cheer when the officer in command gave the signal, and the men merely obeyed the implied command of their own officer in following his example. The very inaction of the 3rd, until directed by Major Mackworth to charge, "and charge home," as they did on the Monday morning, may rather be taken as a test of discipline, than censured as a want of zeal.

During these occurrences the Magistrates appeared completely intimidated and bewildered; seeking rather to abdicate than to exercise their responsible authority. It is an unquestionable fact, that while any thing remained to be done, not the slightest assistance was rendered to the troops, either by the Magistracy, the inhabitants, or the gentry of the "Political Union." The impudence and hypocrisy of these Associations, at length denounced by Authority, were ludicrously manifested upon this occasion. One Herapath, springing the airs of an Attwood, betook himself to the issuing of manifestoes and the concoction of protocols, for the due distraction of affairs—but not a patriot of the "Union" aided, or offered to aid by word or deed, in the restoration of order, till the troops had obtained the complete mastery, and placed the result beyond all doubt. Then, indeed, an offer of assistance was made, and treated as it deserved. The "Unionists" were planted amidst the smoking ruins of Queen-square, to guard the sacred fire, and light their pipes upon the embers of Radical Reform. The cessation of danger was also the signal for the re-appearance of the Special Constables, who, armed with white favours, suddenly swarmed in the streets, like butterflies after a shower.

Not an infantry soldier had hitherto been present—but a party was in full march from Cardiff for Bristol by an early hour on Monday morning. At six o'clock, a.m. on that day, Lieut.-Col. Love, commanding the Reserve Companies of the 11th Regiment at Cardiff, received a dispatch from the Mayor of Bristol, requesting the aid of the troops under his orders; but though pressing for immediate assistance, no means of accelerated conveyance were promptly furnished, while steam-boats, at the command of the Magistrates, abounded in the river of Bristol; as the troops landed at that place, a steamer was only then starting to convey them from Cardiff. Colonel Love, however, contrived to enter Bristol, with nearly 200 men, at six o'clock on the same evening. Marching first to Newport, he there seized a steamer, which the mob of that place, in complete sympathy with their brethren at Bristol, violently attempted to prevent his occupying. Having prepared a regular attack upon the troops, they were only deterred from carrying it into execution by a few significant words and

preparatives, on the part of the Commanding Officer, boding a warm reception from the soldiers. Having vainly attempted to cut the boat adrift, their fury found vent in execrations, and wishes for the sinking of the vessel, ere her crew should trouble their confederates at Bristol.

On approaching the scene of action, Colonel Love heard firing, and quickened his pace, but, to his surprise, met with no one to give him directions or information, although he had twice sent to the Civil Authorities to announce his approach.

On entering the city by Park-street, a quarter principally inhabited by respectable persons, Colonel Love ordered his drums to strike up. In an instant every sash was thrown up, and ladies appeared, cheering the troops in the most enthusiastic manner—calling out with grateful emotion,—“Thanks, thanks, brave fellows; you are come to save us from pillage and death.” Many ladies and gentlemen rushed from their houses to the street, to welcome their deliverers, as they styled the soldiers. The veterans present had never witnessed a scene of more extravagant joy, even when they fought as the liberators of oppressed nations, amidst the horrors of actual and foreign war. It was a scene which no soldier present will readily forget, and the memory of which will serve as an incentive to the faithful and manly discharge of his constitutional duties.

Shortly after, Colonel Brereton made his appearance, and directed Colonel Love to march to Queen-square, where he would join and give him orders; which, however, he failed to do. Having waited an hour, and feeling for the fatigued state of his men, who had now been for fourteen hours in movement, Colonel Love at length proceeded to the Council-chamber. Here he found the Mayor, and having expressed his resolution to keep his men together, and not scatter them in billets, he received permission to place them where he liked. Old soldiers, in these cases, are not difficult: so the gallant Colonel contented himself with putting half of his men into the *bell-room* of the White Lion, and lodging the remainder in the Guildhall.

On Thursday Colonel Love, with his companies, embarked for South Wales, whither he was summoned by the apprehension of riots at Merthyr Tidvil. Thither many of the villains from Bristol, and others of the same stamp, but more decent appearance, from Birmingham, had repaired, to excite the inflammable population of that neighbourhood to repeat the scenes of Bristol—a calamity which was only prevented by the judicious disposition of the troops, and the activity and determination of the Magistrates. The contagion did, however, extend to Bath, Worcester, Coventry, and some other places; but by prompt and resolute measures on the part of the Authorities and respectable inhabitants, the march of anarchy was, for the time, arrested.

Of the Bristol Riots we could supply abundant anecdotes, did our time or limits permit. We have been rather solicitous to give the principal features of these events in historical order, and to record the official documents connected with them, than

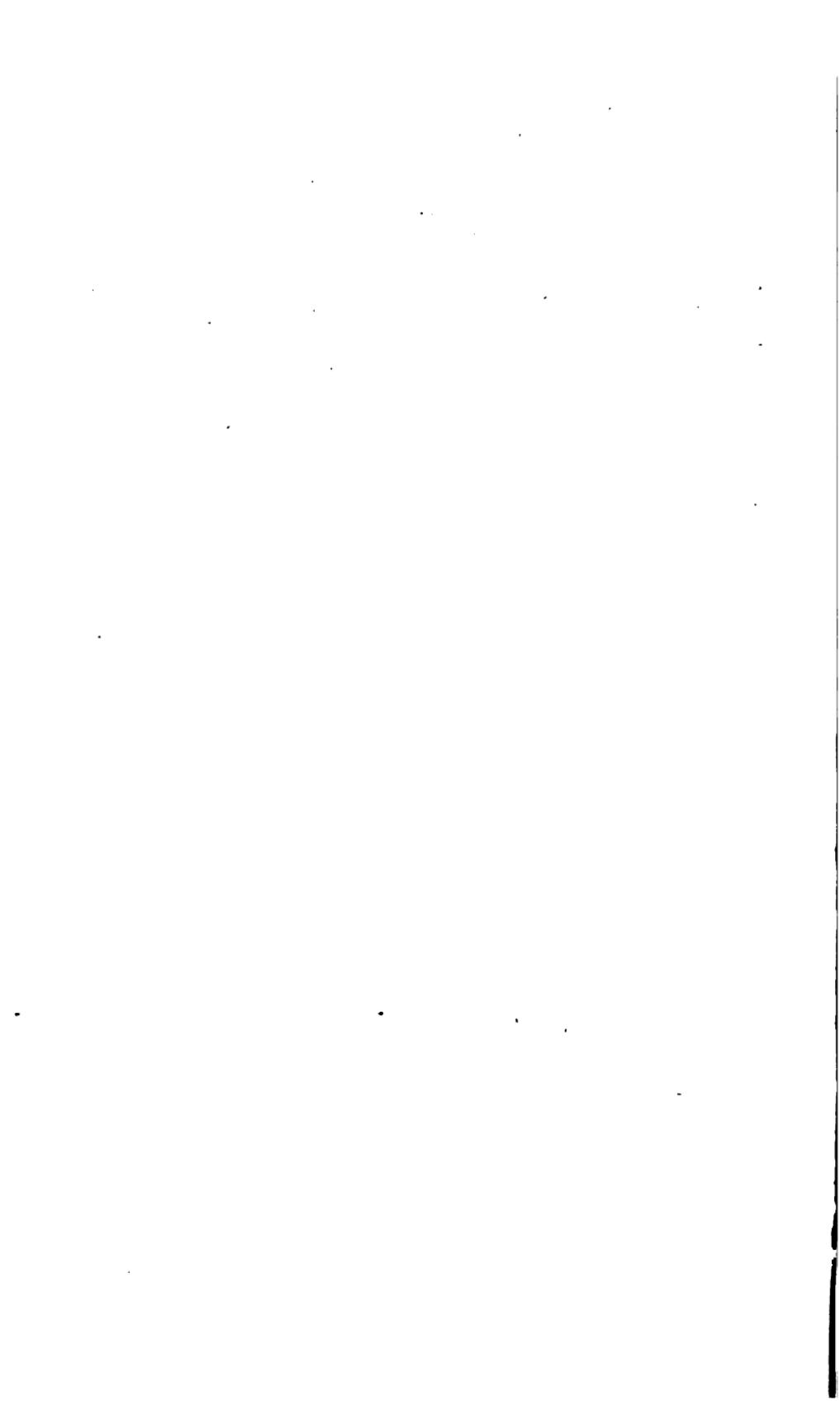
to diverge into details, which might prove revolting or invidious. We may mention, by the way, that during the fire at the Mansion-house, a man was observed to take a pigeon from under his coat, having round its neck a ticket marked "Nottingham." On the person of another, who was killed by one of the 14th, was found a list of the houses to be burnt. We have reason to believe that the number of rioters cut down by the troops or self-destroyed by their own excesses, fell little short of 500—a number in itself sufficient to perpetrate enormous mischief. We affect no sympathy for the atrocious criminals, thus overtaken by a most righteous retribution.

When the riots at Bristol had assumed a serious aspect, a brigade of artillery, with a supply of ammunition, under Major Walcot, was ordered to proceed with all speed from Woolwich to that city. This forced march was effected with characteristic rapidity. The presence of a single piece of artillery at an early stage of the riots, would probably have had a decisive effect.

On Tuesday morning, the 1st November, Major-General Sir Richard Jackson, Deputy-Quarter-Master-General, arrived at Bristol to take command of the troops, which now began to pour into the city and its neighbourhood.

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[To insert in this Appendix the "Personal Narrative" of Major Mackworth, mentioned by the Correspondent of the *United Service Journal*, would be to enter into a repetition of numerous facts already detailed in the foregoing pages; and we must further remark, that some of the Major's statements, for which we presume he too hastily adopted the information of other persons, are now known to be incorrect.]



**SPECIAL COMMISSION  
FOR THE TRIAL OF THE RIOTERS,**

*At the Guildhall, Bristol, January 2d, 1832.*

**BEFORE**

**Sir NICHOLAS CONYNGHAM TYNDAL, Knt.,**

*Lord Chief Justice of the Common Pleas.*

**Sir J. B. BOSANQUET, Kt.**

**Sir W. E. TAUNTON, Kt.**

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The Judges were met at Totterdown by the Sheriffs, **GEORGE BENGOUGH** and **JOSEPH LAX**, Esqrs., the Under-Sheriff, **W. O. HARE**, Esq. and a numerous body of police. The procession moved on slowly through a line of special constables, marshalled and directed by **Mr. Dowling**, a superintendant of the metropolitan police ; and no disturbance occurred.

Merchant Tailors' Hall, Broad-street ; the new Wool Hall, Thomas-street ; and the late Armoury, Stapleton-road, were fitted up as barracks for the military. Beds and bedding for 1500 men were forwarded from Woolwich. Major-General Jackson was in the military command of the district.

At eleven o'clock the Judges entered the Guildhall, and took their seats on the Bench. They were accompanied by his Grace the Duke of Beaufort.

The Commissions of Oyer and Terminer and General Gaol Delivery having been read, the Lord Chief Justice adjourned the Court till one o'clock.

The Judges then went to their lodgings in Park-street, from whence they were escorted with the usual state and ceremony to the Cathedral, where divine service was performed, and an admirable sermon was preached by the Rev. Professor **LEE**, from Proverbs xvi. 12,—  
*“For the Throne is established by righteousness.”*

At two o'clock the Judges returned to the Guildhall. There were about five hundred persons, including a considerable number of special constables, in Court. The following Gentlemen were sworn of the Grand Jury:—

Thomas Kington Bayley, *Foreman.*

Charles Bowles Fripp	John Manningford
Thomas Hill	William Morgan
William Ford	Richard Ricketts
William Watson	John May
Thomas Daniel, Jun.	Joseph Metford, Jun.
Adam Holden	John Acraman
Joseph Russell	Daniel Fripp
James Moore	Henry Seeley
John Tomlinson	Robt. Edward Case
James Lean	Thomas W. Radcliffe
John Hurle	Peter Maze.

The LORD CHIEF JUSTICE addressed the Grand Inquest in the following terms:—

“*Gentlemen of the Grand Jury,*—We are assembled on the present occasion, by virtue of the special commission of his Majesty, for the purpose of inquiring into, hearing, and determining certain charges of no ordinary stamp and character, founded upon acts of tumultuous outrage, violence, and rapine, which have recently taken place within this city.

“This proceeding, his Majesty, out of his paternal solicitude for his subjects, has thought fit to institute, rather than to leave the investigation and punishment of such charges to the ordinary course and stated periods of the administration of criminal judicature within this city; for in the case of offences at once so alarming to the public tranquillity, and so dangerous to the property and safety of individuals, it is of the first importance to make it known to all, that inquiry and punishment follow close upon the commission of crime, in order that the wicked and ill-disposed may be deterred by the dread of the law from engaging in similar enormities, whilst the peaceable and industrious may look up to it with gratitude and affection, for the safeguard which it extends over their persons and property. But it forms, perhaps, a still stronger reason for an early trial of these charges, that where

so large a number of persons as that contained in this calendar have been placed in confinement, the speediest means should be adopted to set at large the innocent, whoever they may be, and to restore them to the peaceful and honest exercise of their daily callings.

“ Gentlemen, I am unable, from any information which has been placed before us, to assign the cause or to trace the exact origin of those enormities you are now called upon to investigate. It appears, however, that, a few hours before they were committed, a riotous and tumultuary assemblage of the people gathered itself together, with an object and for a purpose which no honest man or well-wisher to the laws of his country can sufficiently reprobate,—I mean the open and avowed purpose of treating with insult and indignity, if not with personal violence, a Gentleman placed in a high judicial station, bearing the authority of his Sovereign in the administration of the criminal law within this city, and during part of the very time engaged in the actual exercise of his judicial functions.

“ Gentlemen, it is to be collected from the depositions which I have seen, that the outrages, which will form the immediate subject of your enquiry, commenced at about the time of dusk on Saturday evening, the 29th of October last, and continued, with short intermission, until four o'clock on the Monday morning, when, after the Riot Act had been read, and the persons assembled, notwithstanding the proclamation, had refused for more than an hour to disperse themselves, the further progress of the riot was arrested, and the tumult entirely suppressed, by the vigour and energy of the military, called in to the aid of the civil Magistrate.

“ I purposely abstain from a minute description of the terror occasioned to individuals, and of the outrages which took place in that interval against property, both public and private. Such description would be unnecessary to make you understand the application of the law to the facts as they will appear before you in evidence, the chief object which I have now in view; and it would have the unavoidable consequence of depriving you of that calmness of temper and evenness of judgment which it is your duty to bring to the present investigation, where, on the one hand, the safety and

well-being of the community, and, on the other, the lives and liberty of the accused, depend so materially upon your decision.

" It is no part of my duty, on the present occasion, to consider whether the acts of outrage and rapine which afterwards ensued were caused by the riotous proceedings which occurred at an earlier period of the same day ; or whether wicked and designing persons, taking advantage of the state of excitement in which the people already were, availed themselves of it to effect their own purposes of destruction and plunder. It may, however, be safely concluded, that if the excitement which led to the defiance of the law at the earlier part of the day had never existed, the weightier crimes, subsequently committed by the populace, would not have taken place ; and it is precisely for this reason, that the law of England hath at all times held in the greatest abhorrence riotous and tumultuary assemblages of the people. No man can foresee at the commencement what course they will take, or what consequences will ensue. Though cases may occur in which the object of such assemblies is at first defined and moderate, they rapidly enlarge their powers of mischief ; and from the natural effect of the excitement and ferment inseparable from the collection of multitudes in one mass, the original design is quickly lost sight of, and men hurry on to the commission of crimes, which, at their first meeting, they had never contemplated. The beginning of tumult is like the letting out of water ; if not stopped at first, it becomes difficult to do so afterwards ; it rises and increases, until it overwhelms the fairest and the most valuable works of man.

" Gentlemen, it has been well said, that the use of the law consists, first, in preserving men's persons from death and violence ; next, in securing to them the free enjoyment of their property. And although every single act of violence, and each individual breach of the law, tends to counteract and destroy this its primary use and object, yet do general risings and tumultuary meetings of the people, in a more especial and particular manner, produce this effect,—not only removing all security both from the person and the property of men, but for the time putting down the law itself, and daring to usurp its place.

“ The law of England hath accordingly, in proportion to the danger which it attaches to riotous and disorderly meetings of the people, made ample provision for preventing such offences, and for the prompt and effectual suppression of them whenever they arise. And I think it may not be unsuitable to the present occasion if I proceed to call your attention, with some degree of detail, to the various provisions of the law for carrying that purpose into effect.

“ In the first place, by the common law, every private person may lawfully endeavour, of his own authority, and without any warrant or sanction of the Magistrate, to suppress a riot by every means in his power. He may disperse, or assist in dispersing, those who are assembled ; he may stay those who are engaged in it from executing their purpose ; he may stop and prevent others whom he shall see coming up from joining the rest ; and not only has he the authority, but it is his bounden duty, as a good subject of the King, to perform this to the utmost of his ability. If the riot be general and dangerous, he may arm himself against the evil-doers, to keep the peace. Such was the opinion of all the Judges of England, in the time of Queen Elizabeth, in a case called “ The Case of Arms” (Popham’s Rep. 121,) although the Judges add, “ that it would be more discreet for every one in such a case to attend and be assistant to the Justices, Sheriffs, or other ministers of the King in doing this.” It would, undoubtedly, be more advisable so to do ; for the presence and authority of the Magistrate would restrain the proceeding to such extremities, until the danger was sufficiently immediate, or until some felony was either committed, or could not be prevented without recourse to arms ; and, all events, the assistance given by men who act in subordination and concert with the civil Magistrate will be more effectual to attain the object proposed, than any efforts, however well intended, of separated and disunited individuals. But if the occasion demands immediate action, and no opportunity is given for procuring the advice or sanction of the Magistrate, it is the duty of every subject to act for himself, and upon his own responsibility, in suppressing a riotous and tumultuous assembly ; and he may be assured, that whatever is

honestly done by him in the execution of that object, will be supported and justified by the common law.

“ And whilst I am stating the obligation imposed by the law on every subject of the realm, I wish to observe, that the law acknowledges no distinction in this respect between the soldier and the private individual.

“ The soldier is still a citizen, lying under the same obligation, and invested with the same authority, to preserve the peace of the King, as any other subject. If the one is bound to attend the call of the civil Magistrate, so also is the other ;—if the one may interfere for that purpose, when the occasion demands it, without the requisition of the Magistrate, so may the other too ;—if the one may employ arms for that purpose, when arms are necessary, the soldier may do the same. Undoubtedly the same exercise of discretion which requires the private subject to act in subordination to and in aid of the Magistrate, rather than upon his own authority, before recourse is had to arms, ought to operate in a still stronger degree with a military force. But where the danger is pressing and immediate,—where a felony has actually been committed, or cannot otherwise be prevented, and from the circumstances of the case no opportunity is offered of obtaining a requisition from the proper authorities, the military subjects of the King, like his civil subjects, not only may, but are bound to do their utmost, of their own authority, to prevent the perpetration of outrage, to put down riot and tumult, and to preserve the lives and property of the people.

“ Gentlemen, still further, by the common law not only is each private subject bound to exert himself to the utmost, but every Sheriff, Constable, and other peace officer, is called upon to do all that in them lies for the suppression of riot, and each has authority to command all other subjects of the King to assist them in that undertaking.

“ By an early statute, which is still in force, the 13th Henry IV. c. 7., any two Justices, together with the Sheriff or Under-Sheriff of the county, shall come with the power of the county, if need be, to arrest any rioters, and shall arrest them ; and they have power to record that which they see done in their presence against the law, by which record the offenders shall be convicted, and may afterwards be brought to punishment.

“ And here I most distinctly observe, that it is not left to the choice or will of the subject, as some have erroneously supposed, to attend or not to the call of the Magistrate, as they think proper ; but every man is bound, when called upon, under pain of fine and imprisonment, to yield a ready and implicit obedience to the call of the Magistrate, and to do his utmost in assisting him to suppress any tumultuous assembly ; for in the succeeding reign another statute was passed, which enacts, “ that the King’s liege people, being “ sufficient to travel, shall be assistant to the Justices, “ Sheriffs, and other officers, upon reasonable warning, “ to ride with them in aid to resist such riots, routs, “ and assemblies, on pain of imprisonment, and to make “ fine and ransom to the King.”

“ In the explanation of which statute, Dalton, an early writer of considerable authority, declares, “ that the “ Justices and Sheriff may command, and ought to have “ the aid and attendance of all knights, gentlemen, “ yeomen, husbandmen, labourers, tradesmen, servants, “ and apprentices, and of all other persons being above “ the age of fifteen years and able to travel.”

“ Gentlemen, in later times, the course has been for the Magistrate, on occasions of actual riot and confusion, to call in the aid of such persons as he thought necessary, and to swear them as special constables. And in order to prevent any doubt, if doubt could exist, as to his power to command their assistance by way of precaution, the statute of the 1st Geo. IV. c. 37, and since that has been repealed by the still more recent Act of the 1st and 2nd William IV. c. 41, the statute last referred to has invested the Magistrate with that power in direct and express terms, when tumult, riot, or felony, was only likely to take place, or might reasonably be apprehended.

“ Again, that this call of the Magistrate is compulsory, and not left to the choice of the party to obey or not, appears from the express enactment in the latter Act, that if he disobeys, unless legally exempted, he is liable to the penalties and punishments therein specified.

“ But the most important provision of the law for the suppression of riots is to be found in the statute 1st Geo. 1., sec. 2, c. 5., by which it is enacted, “ that if “ any persons to the number of twelve or more, being

"unlawfully, riotously, and tumultuously assembled together, to the disturbance of the public peace, and being required or commanded by any one or more Justice or Justices, or by the Sheriff, &c., by proclamation to be made in the King's name, and in the form stated in the Act, to disperse themselves, and peaceably to depart to their habitations or to their lawful business, shall, to the number of twelve or more, notwithstanding such proclamation, unlawfully, riotously, and tumultuously remain or continue together for the space of one hour after such command or request made by proclamation, then such continuing together shall be adjudged felony, and the offenders shall suffer death as felons."

"Such are the different provisions of the law of England for the putting down of tumultuary meetings; and it is not too much to affirm, that if the means provided by the law are promptly and judicially enforced by the Magistrate, and honestly seconded by the co-operation of his fellow subjects, very few and rare would be the instances in which tumultuous assemblages of the people would be able to hold defiance to the laws.

"Gentlemen, before I proceed to the consideration of the cases in the calendar, let me impress on the attention of all those who, from idleness, curiosity, or mere thoughtlessness, suffer themselves to form part of a riotous and disorderly meeting, that they subject themselves, unconsciously, to the danger of punishment for crimes which they never contemplated; for where many are collected together in the prosecution of an illegal object, it is often impossible to discriminate between the active and unoffending part of the mob. It requires evidence on the part of the accused, which they may not be able to produce, in order to defend themselves against the charge of participation in the guilt of others. The only safe course for the peaceable and well-disposed, on all occasions of popular tumult, is this; to lend their ready aid to assist the Magistrates in suppressing it, or, at all events, forthwith to separate themselves from the others.

"Gentlemen, one class of cases likely to come before you, will be founded upon the statute 7 and 8 Geo. IV. c. 30. s. 8, by which it is enacted, "that if any persons,

" riotously and tumultuously assembled together, to the disturbance of the public peace, shall unlawfully and with force demolish, pull down, or destroy, or begin to demolish, pull down, or destroy, any house, stable, coach-house, outhouse, warehouse, office, shop, mill, &c., every such offender is guilty of felony, and, being convicted thereof, shall suffer death as a felon."

" In cases of this description, you will consider whether the individual charged was one of the persons constituting a riotous assemblage which was effecting the destruction of the building. If he formed part of such riotous assembly at the time the act of demolition commenced, or if he wilfully joined such riotous assembly, so as to co-operate with them, whilst the act of demolition was going on, and before it was completed, in either case he comes within the description of the offence, and within the penalties imposed by the Act, although he may not have been a person who actually assisted by his own hand in the demolition of the building.

" But the more numerous class of cases seems to be that which is founded upon the second section of the same statute, by which it is enacted, " that if any person shall unlawfully or maliciously set fire to any house or other building mentioned above, whether the same shall be in the possession of the offender, or in that of any other person, with intent thereby to injure or defraud any person, every such offender shall be guilty of felony, and, being convicted thereof, shall suffer death as a felon." In this offence you will perceive it is no constituent part of the description in the statute, that the party charged should form one of a tumultuous or riotous assemblage for the disturbance of the public peace ; it is an offence that may be committed by a single individual. You will, therefore, in these cases, inquire first, whether the party set fire to the building himself ? in such case, no doubt of his guilt can exist ; and if the proof falls short of this, you will then consider whether he was jointly engaged in the prosecution of the same object with those who committed the offence. If by his word or gesture he incited others to commit the felony, or if he was so near to the spot at the time that he by his presence wilfully aided and assisted them in the perpetration of the crime, in either of these cases

the felony is complete, without any actual manual share in its commission.

“ And where the statute directs that, to complete the offence, it must have been done with intent to injure or defraud any person, there is no occasion that any malice or ill-will should subsist against the person whose property is so destroyed. It is a malicious act, in the contemplation of the law, when a man wilfully does that which is illegal, and which in its necessary consequence must injure his neighbour. And it is unnecessary to observe, that the setting fire to another's house, whether the owner be a stranger to the prisoner, or a person against whom he had a former grudge, must be equally injurious to him. Nor will it be necessary to prove that the house which forms the subject of the indictment in any particular case, was that which was actually set on fire by the prisoner. It will be sufficient to constitute the offence, if he is shewn to have feloniously set on fire another house, from which the flames communicated to the rest. No man can shelter himself from punishment on the ground that the mischief which he committed was wider in its consequences than he originally intended.

“ Gentlemen, another class of offenders will be that of persons who stand charged with acts of plunder and theft. And these may come before you, either aggravated by the circumstance of violence or threats to the person of the owner; or with the circumstance of breaking into his dwelling-house, or stealing the property thereout when the house was already broken open; in both which cases the offence is considered of a more aggravated nature, and the measure of punishment is consequently more severe. Or the facts may assume the shape of a simple larceny of the goods of another. In all which cases, as in the case of arson before adverted to, all who are present aiding, assenting, and co-operating in the fact, are, in point of law, principal offenders.

“ The only other observation I would suggest upon the last-mentioned offence is this, that where property which has been stolen is found in the possession of any person recently after the theft committed, unless circumstances appear to rebut such presumption, he may be presumed guilty of the theft, until he can explain

or prove his innocent possession of the property. Upon the subject of a very numerous class of cases, relating to the receiving of stolen property with the guilty knowledge that it has been stolen, I hold it to be unnecessary to offer you any observation whatever.

“There is, however, one case which stands in a different situation from the rest, and to which it may be proper that I should call your particular attention. I mean the case of James Cossley Lewis, who is at present at large upon his reconizance, but who stands charged upon an inquest before the Coroner with the offence of manslaughter, in shooting a boy of the name of Morris. It appears from the depositions before the Coroner, that Lewis was acting in aid of the civil authorities in assisting to clear the streets, after proclamation had been regularly made requiring the rioters to disperse themselves, and after they had continued together for more than an hour from the time of making proclamation. It appears also by the testimony of the witnesses, that the pistol was not aimed at the boy who was unfortunately struck by the ball. The nature, however, of the offence committed by Lewis will not depend so much upon that fact, as upon the circumstances under which the pistol was originally discharged. If the firing of the pistol by Lewis was a rash act, uncalled for by the occasion, or if it was discharged negligently and carelessly, the offence would amount to manslaughter. But if it was discharged in the fair and honest execution of his duty, in endeavouring to disperse the mob, by reason of their resisting, the act of the firing of the pistol was then an act justified by the occasion, under the Riot Act before referred to, and the killing of the boy would then amount to accidental death only, and not to the offence of manslaughter. You will, I doubt not, when the circumstances of the case are brought before you in evidence, deal with it as justice requires.

“Gentlemen, these are the only observations, arising out of the unfortunate transactions at Bristol, with which I think it necessary to trouble you.”

In conclusion, his Lordship made a few remarks on a case that had no connexion with the riots, but was, with others, to be tried under the Special Commission, the usual course of justice having been impeded.

## THE TRIALS.

It would unnecessarily occupy a considerable space in this Appendix if we were to insert even an outline of the different trials; and as they nearly all possessed the same leading character, which has been amply described in our Narrative of the Riots, the reader would find the repetition not merely uninteresting but tiresome. The Trial of Christopher Davis, however, who was charged as the ringleader of the mob, and was moreover a man in better circumstances than the generality of the rioters, deserves to have some pages devoted to it. The Trials of the men who were executed with him we shall briefly narrate.

In all the cases, the prosecutions on the part of the Crown were conducted by the Attorney-General (Sir THOMAS DENMAN); Mr. Sergeant WILDE; Messrs. WIGHTMAN, COLERIDGE, and FOLLETT.

## TRIAL OF CHRISTOPHER DAVIS,

CHARGED AS THE LEADER OF THE MOB.

*Before the Lord Chief Justice TINDAL and Sir J. B. BOSANQUET.*

*Christopher Davis* was charged with assembling, with others, and riotously and tumultuously destroying the New Gaol. There were ten counts in the indictment, but they merely varied the description of the building.

The ATTORNEY-GENERAL, in opening the case, said—the riotous proceedings of the 29th, 30th, and 31st Oct. were committed by a mob, changed in some instances in its constituent parts, and in others probably remaining the same throughout the whole time. Among this class, he should show the prisoner, Christopher Davis, attending, in the first instance, on the Saturday at the Mansion-house, conducting himself with violence and insult, and connected with the mob, at intervals, until the Monday morning. Indeed there was not one of the great outrages at which he was not present; not for the purpose of rescuing property from destruction—not for the purpose of saving lives, or of watching offenders with the intention of giving evidence against them; but he was there approving the work of destruc-

tion, encouraging and exciting the mob, not only by his presence, but by language the most inflammatory. It would be found that the prisoner filled a respectable situation in life, that he was a man of family, well known, and one from whom better things might have been expected, and that his language was directed, not to persons in the same station in society as himself, but to the most ignorant portion of the community, whom his conduct was most likely to encourage in the committal of acts of violence and crime. He should show the prisoner first at the Mansion-house, huzzaing the mob as they broke into it; that he actually condescended to enter the house afterwards and partake of the repast; and that he was up and on the spot all night. Indeed, they would find him in so many places, and at such short intervals of time, that he would almost appear to have had the power of being in more places than one at a time; or, at all events, of changing his situation very quickly. From the Square they would trace him to the Gaol—from thence to the Square—from the Square to the Bishop's Palace, and, lastly, to the Square again, and, even there, using that kind of language most calculated to excite the mob to further outrages, cheering them on, and declaring that the fires were a glorious sight, and what he had long wanted to see. At the Bishop's Palace, when the gates were being pulled down, he could hardly conceal his joy—exclaiming, that he had foreseen it for twenty years, and that it was an example for all the world. Such conduct, it will be at once seen, was most calculated to excite and encourage the poor wretches who had left their abodes for the sake of plunder; some of them, perhaps, fancying that the destruction would eventually entail a benefit on them, instead of ruin, punishment, and death. That the prisoner acted for the sake of plunder we do not say; but, it is clear, he lent his countenance to their criminal acts. In the course of this evidence it will be seen that the prisoner went into a public-house, where he boasted of having drank the wine at the Mansion-house, and partaken of the repast provided there for the Recorder, using some such foolish expression as this:—"What a shame it is that there should be so much waste when so many poor wretches are starving." Gentlemen, I understand that the defence intended to be set up by the prisoner is the plea of being intoxicated at the time; but you have been told by an higher authority than myself that a party who subjects himself to crime, by the taking of liquor, is, in the eye of the law, equally guilty, unless, indeed, it should appear that he was in an absolute state of insensibility, and incapable of being conscious of what was passing around. There is another plea, which it is possible may be set up, and on which it does not become me to animadvert, I mean the plea of a weak understanding. If such a defence should be set up, you, gentlemen of the Jury, will have to decide, whether he was so far incapacitated as not to be responsible for his actions. The facts I have detailed will be proved by a great variety of the most respectable witnesses, whom I shall now proceed to call.

Edward Culliford examined.—I am a grocer; was in Queen-square on the morning of 30th October, from half-past 8 to half-past 2; a great number of persons were assembled heaving stones and bottles at the Mansion-house; I saw the prisoner about one o'clock standing opposite the Mansion-house in the path inside the railing; at that time the mob was rather quiet; he was b—— the Parsons and blasting the Bishops; he was speaking I believe as loud as he could; I think he mentioned the Corporation first, next the Bishops: he wished that hell might open and swallow the churches and corporation up; he had a silk umbrella in his hand, and he lifted his hat above his head; there were 2 or 3000 persons there; I stood in the Mansion-house an hour and half, and did not see him again; when I came out the mob had considerably diminished.

Cross-examined.—The motion of the hat which I described is a common mode of relieving a person's head; he had his umbrella spread over his head; the action of the hat was not an unmeaning one; I can't say whether it was to ease his head or excite the mob; I can't say I did not use the same action with my own hat while I was there.

Re-examined.—I went directly from the Mansion-house to Nelson-street, where I heard the mob knocking at the doors of Bridewell: I did not utter such expressions as he used.

J. Gilbert examined.—I was in Queen-square on the Sunday of the riots, about one o'clock, and stood under the piazzas; Davis said to me this was the end of your d——d magistrates and bishops, and he would send them all to hell; this was in an angry tone of voice, loud enough for every one to hear; he called them d——d robbers, and he would hang them in chains in Queen-square if he had his will; I did not say one word to him; I went away while he was talking, for I did not like to be seen with him; Alderman Hilhouse came up at the same time and asked me who he was.

Cross-examined.—I am a merchant, carrying on business near the Custom-house; I never attended any of the meetings held in Queen-square during the last year; I have seen the meetings from my counting house; I can't tell how many were held; I did not trouble myself about them; I should say I have seen six or seven thousand people at such meetings, not 10 or 12,000; I heard they were about reform; I never took the trouble to go and hear the speeches; much damage had been done to the mansion-house; I was there the evening before, when Sir C. Wetherell made his escape and asked my son for a hat.

Thomas Davey examined.—I keep the Pilgrim public-house in Tucker-street, about a quarter of a mile from Queen-square; on the day Bridewell was destroyed the prisoner was at my house between 2 and 3 in the afternoon; he had a glass of beer; I was in an inner parlour with a person named Cross; the prisoner said when I brought in the beer, there were pretty works going on; he said it was what he expected for a good many years; by his talking he appeared as if he had been drink-

ing ; he said he was almost tipsy, had been up all night, and had been down in Queen-square ; I said I hoped he had not been drinking any of the wine ; he said he had ; he said he wished every b——y church in Bristol was burnt down.

Cross-examined.—I have known him 14 or 15 years, and have seen him at times when excited by liquor ; he has frequently expressed himself in an extravagant and violent manner.

John Cross examined.—I was with last witness at the public house when the prisoner came in ; I heard him say he had been up all night and was intoxicated ; he appeared to be so ; Davey said to him I hope you have not been taking any of the wine ; he said he had ; nothing had been said about wine before ; he said he wished they would burn down every church in Bristol, or words to that effect.

Hugh Wickham examined.—I was apprentice to Mr. Harris, linen-draper, 27, High-street, at the time of the riots ; on the Sunday, a little after one, I was sitting in the front room of my master's house, and heard loud talking in the street, which induced me to go to the window ; I saw the prisoner Davis with an umbrella in his hand ; there were from 12 to 15 persons standing round him ; I heard him say, pointing to St. Nicholas church, "down with those churches and mend the roads with them" ; he pointed with an umbrella ; he kept on talking, but he turned the corner of Bridge-street and I lost sight of him ; he appeared to be going towards the bridge ; the persons went some one way some another ; many of them were car-drivers ; it was near the coach stand.

Cross-examined.—The bridge was on the opposite direction from the Bridewell ; he was going in the way to the Counterslip.

By the Court.—Tucker-street is over the bridge ; he had a black coat, drab breeches, and boots ; he had a very respectable appearance.

John A. Parker examined.—I am clerk to Messrs. Lucas ; the Bridewell was burnt during the time I was at dinner about one o'clock ; I went out to look after the safety of a vessel ; went from the Cut where I live to the avenue leading to the back of the Mansion-house, and turned into Charlotte-street ; the banqueting-room looked into Charlotte-street ; many persons were in that street, throwing stones at the windows, and a great number looking on ; I passed quickly through the crowd ; Mr. Davis was under the windows of the room, with his umbrella in his hand, and his hat off, lifted above his head ; I heard him say "hurra ! go it my boys ;" it was not I should suppose at the extreme pitch of his voice, but I heard it on the other side of the way ; I passed quickly and went to the vessel ; I know his person well.

Cross-examined.—I have seen him under excitement from liquor, when if any person differed from him in politics, he expressed himself violently ; notwithstanding his violence of language, I should not have supposed him capable of such conduct as I saw him use on Sunday ; I did not see any person engaged in preserving peace.

Daniel Underwood examined.—I am a boatman belonging to the Customs ; while the rioting was going on in front of the Mansion-house on Saturday night, I saw soldiers there ; I saw the prisoner cheering the mob ; he had a stick or umbrella, or something else, and was waving it ; I did not hear any word he said ; I saw him again on Sunday, opposite the new City Gaol, not opposite the door, between three and four o'clock ; there was a great quantity of people about him ; they were looking on, and some were breaking open the Gaol door ; when I first saw him he had his hat on his head ; saw him take his hat off and put it on his umbrella ; he cheered the mob ; he said, " now d—nye, we will have Reform—this is what ought to have been done years ago ;" I saw him for the best part of an hour ; he kept the hat on the umbrella about three minutes ; he lifted and waved it in his right hand ; I saw the door opened and the prisoners come out.

The witness was cross-examined by Mr. SMITH at considerable length, as to his conviction that the prisoner was cheering the mob and not the soldiers or the constables. The witness was unable to describe to the Court the exact way in which he became so convinced, but repeated that Davis was certainly cheering the mob.

James Edwin Carver deposed that he saw Davis in the new gaol after the mob had entered ; a great number of the mob were strangers to Bristol, judging from their enquiries.

George Phipps examined.—I live in King-street ; on 30th Oct. between 1 and 2, I heard the bridewell was destroyed : between 2 and 3, I saw the prisoner, and about 120 to 150 persons coming up Back-street ; Davis was at their head, with an umbrella in his hand ; heard him say, " d—a their eyes, burn them—down with them ;" they were coming towards my house, and passed by the side of it ; I heard the hurraing, and looked over the shutters ; I have known Davis 20 years ; I opened the back door, and said to him, " Mr. Davis, for God's sake do come in ;" they went forward in the direction of the mansion-house ; I saw him again about five in the afternoon, going towards the place I had seen him before come from ; there were a few persons with him ; Mr. Davis was decidedly tipsy ; I had known him so long and so well that three glasses would make him mad at any time.

Cross-examined.—My house is nearly half a mile from the gaol ; it was my knowledge of his indiscretion when drunk that as an act of friendship I endeavoured to get him from the mob ; he is a highly humane and respectable man.

John Harvey examined.—On Sunday the 30th Oct. I was in company with Mr. Wood, in the afternoon, at Prince's-street-bridge ; while I was there I observed a great number of persons coming in that direction, huzzaing ; I saw the prisoner in the midst of the mob ; did not hear him speak ; he took his hat off and placed it on his umbrella and waved it round ; the mob were going in the direction of the new gaol ; I could see them for some distance on the other side of the toll-gate ; he was

with them ; I remained on the same spot nearly half an hour ; it is not near enough to hear what was passing at the gaol ; I saw the gaol on fire about half or three quarters of an hour after the mob had passed ; I saw Davis after the fire at the bottom of Prince's-street ; he came close abreast me, but I did not see from what direction he came ; he addressed me, and said he had come from the fire ; he said, " it is a beautiful sight, only it did not burn fast enough to please me ;" he said he hoped all the Bishops would be hung and the churches burnt ; he said he had been to the gaol with the mob and had liberated the prisoners, and some of them were timid of coming out ; he said if they did not come out they should be burnt there ; he was much intoxicated ; he said that he, with the mob, had entered the Mansion-house, and had partaken of the dinner that was intended for Sir C. Wetherell, which dinner was composed of roast beef, ducks, fowls, &c. and it was disgraceful while so many poor wretches were starving ; I went from him ; before I went I heard a man address him—I think an Irishman by his dialect—and said " Mr. Davis, this is the blaze of liberty ;" Davis replied " I wish I had had a hundred such men as you with me last night." I then went direct to my own home, leaving them at the bottom of Prince's-street ; at the time I quitted him the mob had increased to about 400 persons.

William Wood the person alluded to by the last witness, corroborated his testimony, and added, that Davis, on the occasion referred to, said he was drunk—that he had been up all night—that he had entered the Mansion-house with the mob, who partook of the dinner—that it was composed of roast beef, ducks, fowls, and other things he mentioned ; he said it was disgraceful ways while there were so many poor wretches starving ; he said he expected this would take place twenty or forty years ago ; he said he would not mind heading a mob of 20,000 men at any time ; he said it was an example to the whole world, and it would not end here ; there were many persons round about there ; he said he hoped all the Bishops would be hung, and all the churches burnt ; I heard a person speak to Davis a short time before I left ; that person said, pointing to the flames, that was the blaze of liberty ; Davis said he wished he had had a hundred such men with him last night as he was ; I went away with Mr. Harvey, and left Davis there ; there were persons at the Gaol before he crossed the bridge to go there.

[In the cross-examination of Harvey and Wood, they stated that they had previously committed their evidence to writing, and had compared their notes, for the purpose of refreshing their memories.]

John House examined.—I am a servant to the Dock-master ; I collect the tolls at Prince's-street-bridge ; a great number of persons passed through my gate on Sunday 30th Oct. towards the new gaol ; they were going tumultuously ; after that I saw parties coming as from the gaol at different times ; I saw Davis coming as from the new gaol ; Davis stopt at the gate, turned a little out of the direction of the bridge on the pier ; he said,

"where now is your d—d Corporation, your d—d Bishops, and your d—d Dock Company?" his manner was violent; I did not perceive any thing in his hand; I saw him a short time; this was about four o'clock; about five o'clock some person came into my house and took a candle out of my hand and asked if I was ready? I said I had not got all my things out; they smashed the windows: I retired for fear, and soon afterwards the house was in flames.

Cross-examined.—Davis did not speak to me in particular; I thought he was in a violent state of excitement; he had had some liquor.

Richard James examined.—I am a carver and gilder; I saw the gaol on fire when I was at the lower end of Marsh-street; I met Davis in Marsh-street; I had seen bridewell on fire; he caught me by the hand or arm and said, "d—n your eyes, James, this is glorious—this is the sort of thing we wanted." I said it was not the sort of thing I wanted, and that I did not think he would consider so if he went home to bed; he said "I don't care—we will have every b—y church in England down before long;" he was intoxicated.

Cross-examined.—I have known him some years as a man in business; it was my opinion, and is now, that those would not be his sentiments in sober moments.

Wm. Harvey examined.—I am a printer; I was at College-green on Sunday night, 30th Oct., about eight o'clock; a mob came while I was standing there; they went to the archway leading to the Bishop's palace; they appeared to have iron bars; they struck them on the pavement, and they rung like metal; I saw Davis come from the Drawbridge end of the Green to the Deanery end; I have known him for years; he came up to me and said the d—d Bishops were the cause of all this, or had brought it all on, or words to that effect; I told him I thought the time was come when it behoved men to suppress their feelings for the public good; he answered something; he said he could foresee or foretell this 20 years back, and was sure it would come to pass; we conversed some minutes; he said what a shame it was for one d— Bishop to have £40,000. a-year and so many poor persons starving; about this time there was a noise from the Bishop's palace, as of breaking doors open; we could distinctly hear it; his conduct then was nothing more than ordinary, as of one man talking to another; just at that time the soldiers rode by; at that time there were from 20 to 30 persons round us; but when he first spoke to me there were but two or three.

Cross-examined.—We were completely separated by houses from the mob who were doing the violence; while I saw him he neither said nor did any thing to excite the mob; I went away and left him standing with 20 or 30 people who had collected.

Adam Barton examined.—I keep the Albion public-house in Prince's street; on the Sunday the prisoner was at my house, between 12 and 1 in the day; there were two others with him, and he was talking loudly; I was not aware of the subject of

conversation; all I heard remarkable was that he d-d the Bishop, the Church, and the Clergy; he seemed in a very agitated state; his conduct was not like that of a sober man; his conduct was the very opposite.

William Perry examined.—I am a clerk to Messrs. Davey, wharfingers; I have known prisoner three or four years; on the Sunday of the riots, about one o'clock, I saw him in the house of the last witness; I heard him make use of violent expressions; I consider he was drunk; on the Wednesday evening following he came to my house in Trenchard-street, about eight in the evening, and said he was afraid he was got into an unpleasant situation, or words to that effect; that he had heard the officers had been on the look-out for him; he remained there the whole night; he slept in the same bed with me; he had never slept there before; he remained in the house and slept there each night, till the Sunday evening after the fire; I can't tell where he then went; I accompanied him to Hillsbridge, where a gig was waiting for him; it was about half-past six in the evening.

Thomas Crosby examined.—I am an attorney in this city; I have been searching for the prisoner; on Tuesday week I enquired for him at a house at Sutton Montis, near Sherborne: after a search of two hours, I found him in an unfloored attic, between two joists; it was a dark room; he was lying; I had a candle with me; he said, "you have found me then;" I replied, "I have—you must come with me;" he said "I hope you won't do me any harm."

Cross-examined.—I don't know if there was an information against him for a capital felony; I was requested by Mr. Harmar to search; I have no reason to believe Mr. Harmar holds any official situation. Before the search I heard there was a reward offered for his apprehension; I am a professional man in Bristol; great excitement prevailed on the subject of the riots when I set out on the search.

By the Court.—When he said "you have found me," he added, "I am not here for stealing or for murder; I am very happy you have found me; I am happier now than at any time since I left Bristol; I never should have left but on the advice of my friends."

Wm. Harmar examined.—I pursued Davis with a view of apprehending him after the riots; on Sunday week, I went to Sutton Montis with last witness, who delivered him to me; I cautioned him not to say any thing which might be given in evidence; he took me up to the place where he had been found, and said he had looked out for it in case the officer came to take him; there was a sort of step, and he had ascended into a hole about 9 feet high; he said he had been secreted at Shepton Mallett, Batcombe, and other places; I noticed the coat he had on, and he said it was one he had borrowed to disguise himself; on the way to Bristol, he said, "there is one thing against me—it is what I said;" I asked what it was, and he declined stating.

Wm. Orchard Gwyer and Wm. Henry Selman were called; the former did not appear, and the latter was not examined.

This was the case for the prosecution.

The prisoner on being called on for his defence said he would leave it to his Counsel.

Thos. Myers was then called for the prisoner, and examined by Mr. Smith.—I am a tiler and plasterer; I was in Bath-street when Sir Chas. Wetherell made his appearance; I have known Davis five or six years; we shook hands together: I asked where he was going; he said to the end of the street to see Sir Charles come in; I dissuaded him; Davis said, “I hope to God it will be all quiet;” he was then sober.

Cross-examined.—This was between ten and eleven in the morning, when Sir Charles was coming up Temple-street.

Charles Hurditch examined.—I keep the Saracen's Head, Temple gate, which is half a mile from Queen-square; on the night of Saturday, the 29th Oct. Davis was at my house; he came about 6 o'clock; I left the house a little before 8, and he was there then.—Cross-examined.—There was rioting about the Mansion-house before six.

Michael Tregay examined.—On Saturday evening the 29th October, I was at the Saracen's Head a little before six; Davis was there, and I left him in the room at eight o'clock.

Cross-examined.—He was with a man whom I had never seen before.

John Hodges examined.—I was with the prisoner on the night of the 29th Oct. at my own house, the Fourteen-stars, Temple-street; he lives at the Counterslip; he came at half-past 10 and remained till past 11; he was quite sensible when he went away, but was a little intoxicated; he went home; I watched him into his house.

Priscilla Roberts examined.—I was prisoner's servant in October, and am now in the service of the prisoner's wife; he resided at the Counterslip; I recollect the Saturday when Sir Charles Wetherell came to the city; my master came home that night between 10 and 11 o'clock; he was not much intoxicated; he went to bed and got up next morning between 10 and 11 o'clock; he breakfasted at home, and went out to get shaved and returned about 2 to dinner; he went out again in about half an hour, and returned between 5 and 6; went out again after tea, before 6; I don't know what time he returned that night.

Cross-examined.—I went to bed on the Saturday night after 11; got up on Sunday morning about 7; my master's usual hours were what I have stated; I heard on Sunday afternoon that the gaol had been burnt; I went to bed by 10 on Sunday night; I was not out all day.

F. K. Barnes examined.—I live near the prisoner; on the Sunday of the fires I saw him between half-past 12 o'clock in the day in the Counterslip; I think it was before the service was over in Temple Church; he was in the street; I believe I spoke to him, but have no distinct recollection of what he said; I next saw him about 2 o'clock on Monday morning on Bristol-bridge, I think he was intoxicated; I saw him on the Monday morning between 9 and 10 at the Counterslip; he said “what dreadful works it is—I hope they will be punished for it.”

This course of examination was objected to by the Attorney-General and argued at some length. Their Lordships held that if after-statements were to be received in evidence, any person would be enabled to make evidence in his favour, when he reflected on the consequence of what he had done.

Examination continued.—The prisoner has carried on business in my neighbourhood 9 or 10 years; I have always known him an honest, kind hearted, and benevolent man.

David Thomas examined.—I am a tallow-chandler in Castle-street; saw Davis at the top of High-street on the Sunday; bridewell had not been opened; they were coming up, and he was standing on the lefthand side; I shook hands with him; I came up with the mob; he remarked "what a dreadful scene it is—I thought it would come to this;" I remarked was it possible they would accomplish it; I went to the bridewell, and Davis did not accompany me; I have known him 20 years, and always found him charitable and humane, honest & industrious.

Joseph Thomas examined.—I am a carver and gilder, in Nelson-street; I was at the swing-bridge on Bathurst basin about 4 o'clock on Sunday, about the time of the attack on the gaol; saw the flag hoisted; I and the prisoner were standing together, about 150 yards from the gate; I was a spectator; the mob were throwing things into the water, and I said, "Davis, this is too bad;" he said, "it is indeed;" I left him on the bridge in half an hour; when I left, the mob were proceeding still; during that time the prisoner was guilty of no impropriety or violence.

Cross-examined.—There might be a hundred people about the bridge; I saw the people bringing the things out; I was talking to him about five minutes; I walked away with a friend; Davis remained behind; I was on the bridge half an hour; while I was there I think there was smoke coming from the lodge; when I left the bridge he was in the same situation as I found him; I did not see him in conversation; a good many people surrounded him; I was standing near him for 20 minutes, and did not hear him speak to any one; my attention was turned towards the gaol; the mob were increasing, covering the ground quite fast.

Re-examined.—The party who surrounded me and the people were distinct from the mob; they were there from observation; he could have spoken to a person without my seeing it.

George Barton examined.—I am an ironmonger in Nelson-street; I was on the swivel bridge with Davis and the last witness on the Sunday; I went up to Davis, and said, this was dreadful work, and he said it was; I saw the flag put up just before I got there; Davis said it was an infernal shame such a lot of thieves should be set at liberty; I have known him 10 years; his character is extremely honest and peaceable.

Cross-examined.—At the time I speak of, he was perfectly sober and quiet; I never saw him more steady; no one could know him better; I never saw him much elevated with liquor, though I have known him so long; I had not seen the pri-

soners let out; Davis told me 40 or 50 had passed; I can't recollect what else was said; I did not move five yards; no prisoners passed while I was there; I left Davis there.

Re-examined.—My intercourse with Davis has been on matters of business; I never drank with him.

Mary David examined.—I am landlady of the Ship in Pipeline; he was there on the Sunday evening of the fires; he went out about half-past 9; he had been there as I understand an hour; when he went out was the first time I saw him.

Reece Elias examined.—I am a tailor, No. 6, Stephen-street; on Sunday 30th Oct. I overtook the prisoner on the other side of the drawbridge, about 8 o'clock in the evening; we walked together to College-green on the College side; we heard a great deal of beating and banging about in the direction of the palace; I proposed to go into the lower green to see what was going on, and Mr. Davis said, you had better not; I remained there nearly a quarter of an hour; we came back towards the draw-bridge; I stopt at Denmark-street and lost sight of him; I staid to talk about a fire.

Cross-examined.—I think I was in the College-green about a quarter of an hour; the fire I mentioned was at Lawford's gate; Davis appeared to be compos mentis; he advised me not to go to see the riot, lest I should be taken for one of the mob.

John Hood examined.—I am the manager of Williams's brewery; saw Davis near the Custom-house when it was fired; I was walking through the Square; I requested persons whom I knew to assemble at the Exchange to repress the riot; I asked Davis to be one of them; he said he would; I went on for the same purpose, and thence to the Exchange; there were about 10 or 12 there, but no leader; Davis was regretting what had occurred when I saw him; I have known him 15 years; always considered him a respectable man; when he was in liquor he was a little noisy.

Cross-examined.—Davis was not one of the 10 or 12 I saw on the Exchange; it is easy to distinguish when he was in liquor; when I saw him I thought he had been tipsy but was recovering; he talked rationally; his countenance was distorted as if he had been drunk; this was the only time on that day that I saw him; it was not quite three on Monday morning when I saw him.

Re-examined.—Many whom I asked to come to the Exchange did not come.

John B. Harwood examined.—I am a wholesale grocer; have known the prisoner three years; I live close to him and know a good deal of him; he is honest, and exceedingly benevolent to the poor.

John Fry examined.—I am a woollen draper on the Quay; have known prisoner 8 years as an honest and peaceable man.

John Bland examined.—I live in Broadmead; have known him for 6 or 7 years as an honest upright man.

T. Barrington examined.—I knew him 20 years ago; he had a very fair character.

**Mr. Fiske, grocer, examined.**—I have known him well seven years; his general conduct is that of an honest, industrious, peaceable man; I have seen him much excited by liquor; at other times very peaceable.

The evidence was brought to a close at six o'clock, and the Lord Chief Justice immediately began to sum up. He remarked, with regard to variations in times spoken to by witnesses, it was always liable to uncertainty, and knowing this, the Jury would take into their consideration the contiguity of places, and the possibility of the prisoner's being at the different places sworn to, although there existed a variation in the testimony of some of the witnesses with respect to the precise time. After commenting upon the evidence in an address of two hours duration, his Lordship left it to the Jury to say whether on the evidence the prisoner was not instigating and acting in concurrence with the mob, in the firing of the gaol, although his own hand did not commit the violence. Whatever was their verdict, they were bound to discharge their duty between their country and the prisoner.

The Jury retired soon after eight o'clock, and at 9 returned into Court. A solemn silence prevailed while the officer demanded their verdict, which was that of "*GUILTY.*" The prisoner heard it with no apparent emotion, and was immediately taken from the bar.

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#### FIRING THE CITY GAOL.

*William Clarke, Patrick Kearney, James Williams, Daniel Higgs, James Courtney, and John McCay,* were indicted for destroying the Gaol.

The ATTORNEY GENERAL in his address to the Jury, said it would be proved that the prisoners had riotously and tumultuously assembled together, to the disturbance of the public peace; that they were parading the town about noon on Sunday the 30th October, in the most riotous and disorderly manner; that after destroying the bridewell by fire, they proceeded to the public gaol, and whether for the purpose of liberating the persons there confined, or whether with a view to the general destruction of property, he was unable to determine, but it would be proved that they broke into the gaol, and set fire to several parts of it.

William Stretton, task-master at the gaol, was the first witness examined. He described the breaking open of the gaol with sledge-hammers and wedges, and stated that Courtney was one of the men who assisted to throw the prison van into the river; when witness left the gaol, about two hours after the first assault, he saw Clarke going towards the gaol with an iron bar on his shoulder; he was walking steadily, and shook his head at witness as he passed him.

W. H. Selman deposed that he saw the mob hammering at the gates; saw Clarke and Kearney there; Clarke had something in his hand, and was striking at the lower part of the

large door ; saw an entrance made, the doors thrown open, and the mob rush in ; remembered the soldiers coming ; had known Clarke six years ; saw Kearney in the mob going to the bridewell between one and half-past one : they were conducting themselves riotously, and a great number of them had iron bars and hammers ; believed Kearney had an iron bar ; the next time witness saw Kearney was at the gaol ; he had an iron bar, swinging it about, and he struck the door of the gaol with it ; the mob were shouting tremendously at the time, before and after the soldiers came.

Cross-examined.—Would swear that Clarke knocked at the door before there was a fire in the gaol ; it was about 4 o'clock or a little after it, when he first saw him ; it was before the soldiers came ; the prisoners were all liberated before witness saw any fire.

John Phillips, one of the turnkeys at the gaol, deposed that about half an hour after the mob entered, Clarke walked in with an iron bar on his shoulder, and went towards the governor's dwelling. The governor's house was on fire about twenty minutes after the mob broke the iron gates. It had been burning about ten minutes when Clarke came in : he went up the steps to governor's house ; saw him again about an hour afterwards ; he was then coming down the flight of steps leading from the lodge into the yard. The prisoners had been let loose before witness saw him the first time. At the second time he said to the mob—"Come on, comrades." Some then went away with him. Whilst he was there the mob were breaking locks, destroying furniture, &c.

Cross-examined.—Could see the mob distinctly from the wicket ; if Clarke had been one of the mob battering the gates witness could not have failed of seeing him.—Did not see Kearney there. When witness first saw Clarke he walked in from the road. Did not observe that he was at all affected with liquor.

James Edwin Carver, who was a prisoner for debt at the time of the riots, was sworn, and stated that in consequence of subsequent illness his memory was impaired. The last thing he could distinctly charge his memory with, was seeing Clarke strike at the iron gates (in the prison yard) with a sledge hammer.

Cross-examined.—My memory is in such a confused state, that I cannot venture positively to swear to any one circumstance.—I imagined I saw Clarke there, but I cannot speak positively with certainty.

A. Shapcott deposed that he was a prisoner for debt on the 30th Oct. and saw the mob come into the yard with bars and sledge hammers ; saw Clarke there some time after the breaking in of the outer gates ; Clarke had his hands in his pockets ; heard him say to the mob, "come here," or "come there."

Cross-examined.—Did not see Clarke commit any violence.

Re-examined.—It was an hour and half after the attack before they effected an entrance ; it was some time after the entry of the mob that witness saw Clarke.

John Page, ferryman, deposed that when the mob came to the gaol he was on the other side of the river; there was a staff on the gaol lodge with a vane; saw a man slide down the staff—not Clarke—but Clarke unshipped the staff and threw it among the mob, after they had entered the gaol; Clarke had passed over the ferry in witness's boat about 10 o'clock in the morning, and also at a quarter before twelve.

James Wyatt was a collector of tolls at Prince's-street bridge on 30th Oct.; a mob of persons passed over the bridge towards the prison soon after 2 o'clock, with bars like railing, and bludgeons; Clarke was with them, and had some kind of bar on his shoulder; it was bent; he said as he went by, they would have liberty; the mob were huzzaing; they said they were going to the gaol, and that witness must make ready for them, for they were coming back to him; this was said by many of the people; some of the mob did come back again.

James Cross deposed that he was at the Horse and Jockey in Limekiln-lane about 12 o'clock at night on the 30th Oct. when Clarke came in with 4 or 5 men; they had iron crow-bars; Clarke pulled 3 or 4 keys out of his pocket, and said they were the keys of the gaol, and holding up one of them he said it was the master-key, and that every gaol in England would be opened in less than a fortnight.

This evidence was confirmed by R. H. Trickey.

James Moss deposed that he saw Clarke beating bridewell door with a sledge hammer; he had before seen Clarke leave Queen-square with the mob.

Harriet Vowles, servant to Mr. Whittington, Britannia Tavern, All Saints'-street, deposed that her master's house is near the bridewell; that gentleman (pointing out Clarke) came there between 1 and 2 o'clock on the Sunday of the riots, with about 20 other persons or less; witness did not know any of the other gentlemen; Clarke had nothing with him; he came again at about 5 o'clock, and had then an iron bar on his shoulder; he swung the iron bar round him, and desired the mob to follow him; did not hear him mention any place; had not heard that any thing particular had happened, except that bridewell was burnt and the prisoners let out; heard Clarke say that some had hopped out, and he would have more out; this was shortly after bridewell was on fire; heard several of them say they had let the prisoners out of bridewell; this was the first time they came.

Thomas Whittington, master of the last witness, corroborated her evidence.

Mary Ann Shoeburn, servant to Mr. Gully, Nicholas-street, deposed that on 30th Oct., about half-past eight in the evening Clarke came to her master's house with 4 or 5 other persons, and had beer; Clarke shewed a bunch of keys, and said they belonged to Lawford's-gate prison; he had some bacon, and said it was some of Mr. Humphries' (the Governor of the City Prison.)

James Rouse; kept the Boar's Head; on the 30th October,

about half-past 11 at night, Clarke came to witness's house and 7 or 8 persons with him ; 2 or 3 had crow-bars ; Clarke said he had been and broken open the three prisons ; he had an iron bar, 5 or 6 feet long, a little bent ; he said he and his few boys had burnt the Bishop's palace, and that he had done a good day's work so far.

Cross-examined.—Clarke was a good deal intoxicated.

Margaret Flynn, servant to Mr. Humphries, the governor of the gaol, deposed to some provisions having been stolen by the mob—a ham and part of another—also a leg of pork.

John Wise heard Clarke say to the mob who were burning the Custom-house, " come on, come on."

Thomas Austin, watchmaker, deposed that he saw Clarke in the Square between 2 and 3 on Monday morning, telling the mob to come on ; he had dishes and bottles under his arm.

William Perry, constable, deposed to the apprehension of Clarke at Liverpool on the 6th November. Mr. Harmer accompanied witness.

William Humphries, governor of the gaol, described the attack of the mob, and stated that he had a master-key and three common ones, which he kept locked up in his desk ; they were lost in the riot ; one of the keys was larger than the rest.

Wm. Woodman, saw Clarke in Queen-square about two o'clock on the Monday morning, with books in his hand.

Wm. Lowe, saw Clarke in Queen-square on the Monday morning about 2 o'clock with dishes under his arm ; Clarke saw and recognized witness ; Clarke said " hurrah, come along my boys," or some such thing.

Cross-examined.—Clarke was far from sober ; witness had seen him rather rough after he had been drinking—in almost a deranged state—more excited than men generally are when in liquor. Witness knew Clarke to be an honest man and a peaceable citizen.

This being understood to be the whole of the case as affecting Clarke, Mr. SWINN, the Counsel for the prisoner, observed that he had been not a little embarrassed by the indictment comprehending so many prisoners, and the evidence embracing so many different times and circumstances. He wished to know from the Court if he might be allowed now to call evidence in favour of Clarke.

The Court decided that the whole of the case for this prosecution should first be closed.

William Devon (a boy about 10 years of age) was then called. He deposed that he was at the gaol on the Sunday afternoon ; was there till it was set fire to ; a man very much like Patrick Kearney asked witness to go and fetch some straw for him, where the others went ; got the straw and gave it to the man, who strewed it on the floor and set fire to it ; he took a tin out of his pocket, with stuff in it, and poured some of the turps over the straw ; was not quite sure that Kearney was the man, but if it was not, he was very much like him.

Chas. Salter and W. Appleby deposed to having seen Kearney breaking the governor's furniture while the house was on fire.

John Berry deposed that he knew the prisoner *Jas. Williams*, who is a native of Keynsham; saw a great number of persons at the gaol on the 30th Oct. breaking the things to pieces, with bars; saw Williams hit a door once, but does not know whether he broke it in.

Cross-examined.—All the firing had taken place before Williams came.

James Pitman, blacksmith at Keynsham, deposed that he saw Williams at the gaol while the governor's house was on fire; he had something in his hand about three feet long and  $\frac{1}{2}$  of an inch square.

Cross-examined.—Did not see Williams commit any violence.

The evidence of several witnesses was then taken as to the finding of stolen property, belonging to the gaol, at the house of Williams's mother at Keynsham.

Charles Creasy witnessed the assault at the gaol; saw the prisoner, *Daniel Higgs*, employed in the riots; saw him take a crow bar from a boy and strike the gate; saw him hustling the people and trying to pick pockets; saw him heaping wood against the gates to increase the fire; it was tables and chairs; this was between 6 and 8 o'clock.

J. King, jun. of Clare-street, was in Broad-street between 2 and 3 o'clock on Sunday the 30th of October, and saw Higgs at the head of the mob coming from bridewell; he was shouting, and saying they were going to break open the gaol.

Thomas Watson, night constable, deposed to having seen Mecay assisting to break open the gaol door.

John Williams deposed that on the Sunday he saw a mob at the smith's shop near the prison; some of them had crow bars; they forced the doors open, and he saw Mecay bring out a sledge hammer; this was about a quarter past two o'clock; Mecay then went with the rest of the mob to the gaol, where witness saw him hammer at the gates; after the gates were beat in Mecay assisted to drive the gaol van into the water; saw Mecay fling a sledge hammer at the last witness (Watson); saw a portrait of the governor brought out; Mecay kicked a hole through the picture, and threw it into the water.

This was the case for the Crown.

Mr. PALMER, Counsel for the prisoner Clarke, submitted to the Court that Clarke must be acquitted; the indictment charged him with felony, but if he had been proved guilty of any crime, it was of high treason, into which the felony had merged. There had been evidence given of Clarke's intention to destroy all the gaols in the kingdom; that Clarke had not only assisted in the demolition of all the gaols in Bristol, together with the Bishop's palace, but that he had declared that in a fortnight all the gaols in the kingdom should be destroyed. This, he (Mr. Palmer) contended, was an overt act of treason, and came within the question of a constructive levying of war against the King. The learned Counsel cited cases in support of his objection, which was ultimately overruled.

Several witnesses were called in favor of Clarke, among whom was his mother. They deposed that the prisoner met with an accident in his head some years since, while engaged in his business as a sawyer, and that he had since been subject to fits of derangement; he became violent with a small quantity of liquor. An *alibi* was also attempted to be shewn as regarded several of the periods spoken to by the witnesses for the prosecution.

The other prisoners also called witnesses; and on the part of Courtney an *alibi* was set up.

The ATTORNEY-GENERAL obtained leave to call additional witnesses for the further identification of Courtney, in consequence of the *alibi* which had been sworn to in his behalf.

James Racker stated that he was a tide-waiter at the Custom-house; saw Courtney coming from the gaol on the Sunday evening; at the toll-gates on Prince's-street bridge, and afterwards at the Mansion-house; saw him in an underground cellar at the back part of the Mansion-house, with a lanthorn in his hand; he was afterwards in front of the Mansion-house with the lanthorn and a piece of old iron in his left hand, and a stick in his right. Saw him beating in some of the windows in Queen-square; he was cursing at the time; witness had a full opportunity of seeing his features, and was certain of his identity.

William Cross, stationer, in Wine-street, was in the square, near the Mansion-house, on the evening of the fire; saw Courtney there from half-past 8 till 9 o'clock, exactly opposite the front door; the Mansion-house was not then on fire; he (Courtney) was in company with another man, and said, apparently under much excitement, "D—n my eyes, what haven't you set fire to it after all?" Witness had no doubt whatever of his being the man.

The Court then adjourned, and the LORD CHIEF JUSTICE ordered the Jury to be detained all night, and to be provided with accommodations and refreshments.

On the following morning the Lord Chief Justice read and commented on the evidence, which occupied above three hours.

The Jury retired at a quarter to two o'clock, and at five, returned into Court, when they pronounced Clarke, Kearney, Higgs, Courtney, and Mecay, *Guilty*. Williams, *Not Guilty*.

#### BURNING OF THE BRIDEWELL.

*Wm. Clarke, Patrick Kearney, Matthew Warry, John Towell, and Wm. Osgood*, were charged with riotously assembling, and demolishing the City Bridewell.

The ATTORNEY-GENERAL, in stating an outline of the evidence, said,— Gentlemen of the Jury, you are probably aware that the building laid in the indictment against the prisoners, consists of two compartments, viz. the house in which the governor resides, the other part termed the prison; but the whole forms one building, connected by two arched walls, and the way between is

private property, open to the public as a thoroughfare, it is true, during certain hours of the day, but closed at night, by means of large folding doors in the archway of either wall. Three or four persons had been confined in this building, for tumultuous behaviour, on Saturday Oct. 29th ; and it was probably from this circumstance that the mob was induced to attack the bridewell, for the purpose of liberating those prisoners who were confined in it. That the prison was attacked for the purpose of effecting its destruction, is evidenced by the fact, that from the time of the first assault the violence was continued until the original design was completed. It appears that Clarke was actually employed in the destruction of the building. With respect to this prisoner, we have thought it to be our duty to make the most active inquiries with regard to his conduct, and the result has been, that we cannot find, and we do not believe, that he was originally concerned in the late disturbances ; and we have no doubt that he first became connected with the rioters by joining them on the Sunday morning, without having any previous intention of so doing ; and his case forms a striking example of the danger of coming in contact with large and tumultuous assemblages ; all the bad passions of a man are suddenly called into action the moment he finds himself united with such a body acting with impunity ; and, accordingly, we find the prisoner, without any palpable previous intention, no sooner becomes so connected, that we see him actively employed in the destruction of property. We have been told that the intellect of this man is affected when he is in liquor by a misfortune which he has received in his head ; but you, gentlemen, will at once see the necessity for a person of that description to be more careful of that which hurries him into such excesses. We shall show that Kearney was extremely active in the attack at the Bridewell. It appears that his business is that of a hawker—an itinerant vender of linen-drapery, and, as such, he must be a man possessed of some little property. The effect of such a man going among a mob, must be most mischievous, because it tends to hold out encouragement to the most depraved portion of society, by lending to it the countenance of those who are somewhat higher in the scale of society than themselves. The prisoner, Warry, is a journeyman baker ; he is a little man, but it does not require great size or great strength for committing acts of violence. The other prisoners will be found to be more or less implicated in the transaction. We consider the various acts of violence which took place from the Saturday to the Monday, as forming one transaction, and it will not be necessary to show that each individual implicated commenced at the very outset of the disturbance, if it be proved that at one period or other he joined the mob with a knowledge of its intentions. Neither are we under the necessity of requesting you to consider too minutely whether the persons implicated were themselves actually engaged in the destruction, if they formed part of a mob so employed ; for no man can be wilfully present, and form part of such a mob, without encouraging it by his

presence—without giving it that appearance of strength which, of itself, holds out the capability of its offering an effectual resistance to any attempt to put it down, and destroys the very hope of suppressing it in the minds of the well-disposed part of the community. For the same reasons, the encouraging a mob by shouts unquestionably amounts to the taking an active part in the proceedings. You, gentlemen, will have it in the evidence which will be tendered to you by Mr. Evans, the governor, that, on Sunday the 30th Oct., a riotous and tumultuous assembly assailed that building with violence : that on their approach the gates were closed upon them by him and his assistants : that the entrance of the mob into the space between was resisted until the violent pressure from without compelled those who were within to give way to it. He will tell you that he then defended his house with a blunderbuss, and kept them at bay for a considerable time, until the terror of his wife and family, and his anxiety for their safety, induced him to come to a parley with the mob, and to give them up the key of the prison, in order to allow the persons in his dwelling-house time for escaping : that, in fact, they did escape, at the imminent risk of their lives, through a skylight in the roof of the house. That the mob then liberated the prisoners ; forced their way into his dwelling-house, and proceeded in their work of demolition ; so that on Monday morning he found the whole of the building in ruins.

Witnesses were then called in support of the charge. Their evidence detailed the proceedings of the mob in the attack on the Bridewell, and the extent to which the prisoners assisted. Much of the proof against Clarke was the same as was adduced on his trial for firing the Gaol.

The Jury returned a verdict of *Guilty* against Clarke, Towell, Warry, and Kearney ; and acquitted Osgood.

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#### BURNING OF THE BISHOP's PALACE.

*Thomas Evans Bondall* and *James Sims* were charged with having feloniously assembled, with divers other persons, to the disturbance of the public peace, and destroyed by fire a certain dwelling-house, belonging to the Lord Bishop of Bristol.

The ATTORNEY-GENERAL stated the case to the Jury, and called the following witnesses :—

William Jones examined.—I was a servant of the Bishop of Bristol in October last ; about eight o'clock on Sunday evening, the 30th October, some persons broke into the Palace ; they first broke open the iron gates in front of the Palace with sledge hammers ; there were nearly 100 persons in the mob, including boys and men ; one man had a crow bar, with which they forced the palace door ; there was a great shouting when it was opened ; the first thing I saw demolished was a sideboard and a glass lamp ; I heard one man say “ Strike away ; ” some of the side windows of the palace look into the front yard, through which I escaped to the church-yard, and from thence I went to

the door of the palace, where I waited until the soldiers came up ; I heard a great noise inside the palace ; some of the mob were destroying the furniture, whilst others were going away with property belonging to the Bishop ; after the mob had dispersed, I went into the palace and found four beds on fire ; the ticking was cut and fire put inside ; the mob returned about half an hour after this in considerable numbers ; they were armed with hammers and iron bars ; I offered resistance to them, and they threw iron bars at my head, but I again effected my escape to the church-yard ; I again went round to the front of the palace, and shortly afterwards the whole of the building was in flames ; I saw burnt books in the chapel ; there was a man inside handing some things through the windows, and they were brought into the church-yard and thrown into the palace, which was in flames ; I remained in the church-yard until five o'clock in the morning ; the whole of the palace and its furniture was completely destroyed ; I saw the prisoner, Bendall, handing out the books, and otherwise busily engaged in the work of destruction for an hour and a half ; there was a great number of persons, besides the prisoners, who took an active part.

Cross-examined.—I did not see the prisoner when the mob attacked the palace ; the first time I saw him was when he was handing out the books from the chapel ; after the mob had burnt the books they destroyed the book-shelves ; there were at least ten or twelve employed in destroying the books ; I saw the prisoner hand out several of the books ; I also saw him receive some others from persons apparently dressed as gentlemen.

H.W. Fedden examined.—I was present during the greater part of the time the palace was in flames ; I have known the prisoner Bendall for some time ; on the night of the fire I saw him several times receive books from different people, which he took and threw into the flames of the palace.

Cross-examined.—I did not know the prisoner by name, but very well personally ; I have seen him before with a petition in his hand.

Mr. PALMER.—A petition—what do you mean, a begging petition ?

Witness.—Oh, no, sir ; a Reform petition.

Mr. PALMER.—I suppose you are not a reformer.

Witness.—I am neither one side or the other.

David Phillips corroborated the evidence of the last witness ; he was confident that Bendall was there ; witness saw him destroy some books, and afterwards accompanied him to Queen-square, and saw him destroy some furniture.

John Otton examined.—I took the prisoner into custody on the Tuesday following the fires ; he had tape round his hat and arm, and a constable's staff ; I asked him why he wore the tape, and he said he belonged to the "Union," and had 4s. a-week allowed him ; he never said any thing about the palace.

John Robins examined.—I am a labourer at the coal works ; I know the prisoner Sims ; on the Sunday night I went to the Bishop's palace, about eight o'clock ; saw several persons there ;

Sims had a stick or a bar; he was in the burial ground at the Chapter-house window; the windows of the palace opposite the Chapter-house were out, and the fire was blazing in the palace; I saw Sims break the windows of the Chapter-house with a crow bar or bludgeon; saw many books handed out at the windows, and thrown towards the fire; I was there about ten minutes, and when the mob came I went away; one of them had a candle; I said to Sims "you are hard at it;" saw Sims in Redcliff street an hour and half afterwards; he said he could have got ten pounds or had lost ten pounds; Stern was with me; we did not stop; Sims had nothing in his hand.

Charles Stern examined.—I was at the palace on the Sunday night, about half-past ten; saw a man breaking the windows with a sort of bludgeon; saw books and papers thrown out; on our return home Robins and I met a man in Redcliff-street; Robins said to him, when he was breaking the window, "Jem, you are going it, my boy," but I did not hear what the man said to Robins; he said he had ten pounds taken from him.

Arthur Kelsy examined.—I am a corn and flour factor; on the Saturday I was in Queen-square about one o'clock, when Sir Charles Wetherell's carriage arrived at the Mansion-house door; the people were very noisy; I know the prisoner Bendall; he was there, and had a stone in his hand, which he threw at the carriage; a number of stones were thrown.

The Lord Chief Justice said this evidence did not affect the charge in the indictment.

The Attorney-General and Mr. Serjeant Wilde said, the object was to show continuous acts of riot by the prisoner at the bar.

Their Lordships concurred in opinion that the distance between the two periods was too great to trace such a continuity.

This closed the case for the Crown, and the prisoners declined saying any thing in their defence.

Several witnesses were called in behalf of Bendall, and examined by Mr. PAYNE, his Counsel. Their evidence went to prove that he was a boy of weak mind.

Mr. Justice Bosanquet recapitulated the evidence; in the course of which he observed, with regard to the defence that the prisoner Bendall was not in such a state of mind as to be responsible for his actions, the evidence ought to be clearly and narrowly watched, and as the boy had relations in Bristol they ought to have been called. The law had provided that if a Jury found that a prisoner had committed the act imputed to him, and that he was not in such a state of mind as to be responsible for his actions, they should return a special verdict to that effect, and it was left to the Crown to determine on the disposal of the prisoner; but it must be borne in mind, that if he is capable of discriminating between right and wrong, he is to be considered responsible for his actions.

The Jury retired, and in about half an hour brought in a verdict of *Guilty* against both prisoners.

## FIRING HOUSES IN QUEEN-SQUARE.

*Joseph Kayes* was indicted for destroying the house of C. Bull. The case having been stated by the ATTORNEY-GENERAL,

Mr. Charles Bull was examined.—Lived in Queen-square ; his house was burnt on the Sunday night of the riots ; his family were obliged to leave the house about half-past twelve ; some of the furniture was destroyed, and some taken away.

Isaac Bull examined.—Is the son of the last witness. Was in the house when it was attacked ; there was a considerable number of persons round the house at the time ; there were other houses on fire ; was attempting to save the property ; saw the prisoner in the court-yard, with several others ; he was doing nothing then ; came back again in about five minutes, and saw him in the hall ; witness was driven out by the mob ; saw the house on fire from a window in Prince's street, about ten minutes after ; the house was on the north side of the Square ; the first in the Square, and the fourth from Prince's-street ; knew the prisoner by sight before.

Cross-examined by Mr. PAYNE, who appeared for the prisoner.—Had seen Kayes driving a gentleman about the city ; began moving the furniture about 10 ; had not removed all by the time the house was attacked ; the mob allowed him to pass with a little pushing ; left his mother, brother, sister, and a little girl, in the house, when he first saw the prisoner ; the windows had been beaten in in the front parlours about half an hour before ; had a chair and some stair carpets in his hands ; on his returning the second time, the house was full, and the prisoner was in the hall, near the door ; had some difficulty in going up stairs.

William Bull, another son of Mr. C. Bull, also proved the prisoner to have been among the mob.

Joseph Quarman examined.—Is a turner ; had known Kayes for two years ; saw him between one and two on the morning of the 31st October, in the house adjoining Mr. Miles's counting-house, on the side nearest to Prince's-street ; witness was standing on the footpath of the Square, opposite the house ; saw him through the window ; there were others in the room at the same time ; saw him from three to four times in and out of the room ; the house had been stripped of furniture, and the next house gutted ; Mr. Miles's counting-house was then completely in a blaze ; witness saw a piece of timber in a charred state taken up by some persons, and a light procured from it ; saw the prisoner soon after stooping once or twice to the same piece of timber, as if he were doing the same thing ; it was lying by the fire-place on the floor ; saw the prisoner afterwards leaving the room ; believes he was the last who left it ; saw no one in it afterwards ; the room was in a complete blaze in about three minutes ; the windows had been completely broken, and the sashes demolished, before witness saw prisoner.

Cross-examined.—Went into the Square between twelve and one ; Mr. Leman's house was then nearly down, and the Custom-

house in a blaze ; did not stand opposite Mr. Bull's house at all ; stood opposite the house in which he saw the prisoner, adjoining Mr. Miles's counting-house ; was not decidedly aware how far that is from Mr. Bull's house.

Sarah Weeks examined.—Was a servant at No. 49, Queen-square, at the time of the fires ; assisted to remove the property about nine ; the Mansion-house was then on fire ; went to and fro several times ; there was a great crowd about the house between two and three ; her master's house is on the back of Prince's street, and is one of the two still remaining on that side ; Miss James's house is on the opposite side of the avenue ; saw the prisoner in the kitchen of that house ; he came over to her master's house ; witness was knocking at the door, and he came to her ; Miss James's house was on fire when the prisoner came out of it ; he had a hat under his arm, and a spit in his hand ; he said to witness, “—— your heart, if you go in, I'll kill you ;” he then went in front of Miss James's house, and looked up ; he then went into Miss James's kitchen ; witness was going into Prince's street again, to where her master's furniture was, and passing by Miss James's door, she stopped there and looked into the kitchen ; the door was open ; saw the prisoner in the kitchen ; did not see any one else there ; saw him take something out of his hat and fling it round the kitchen ; did not see what it was ; saw a mob before her master's house ; saw the prisoner give something out of his hat to a boy ; this was before he went into Miss James's kitchen.

Martha Davis examined.—Was in the service of Mr. William Cross ; his house was demolished by fire ; Mr. Bull's house, the next door but one from her master's, was demolished in the same manner ; saw the prisoner in the court of her master's house, with a man in a long coat ; witness went to them, one of them said to the other, “pull the bell ;” witness said, “it's no good to pull the bell, for there is no one there ;” they said, “what do you know about it ?” witness said, “I am Mr. Cross's servant,” and the prisoner replied, “we are Mr. Cross's friends ;” witness said, “you are no friend, but one of the rioters ;” the prisoner then asked for the key, and witness told him she had none, and went to fetch her master ; one of them pushed her and told her to stand on one side ; believes it was the prisoner ; and thinks her master came in about five minutes after ; they were not then there ; could swear to the prisoner as plain as to her own master ; believes it was between twelve to one, or from that to two in the morning ; Mr. Bull's house was fired before her master's.

Cross-examined.—Bull's house was not then consumed ; thinks the roof had not fallen in ; the house adjoining Mr. Miles's was then burning, but could not say if the roof had fallen ; the up-stair part of the house was burning at that time ; there was a great number of people present, about two thousand, and very thick about the premises ; could distinctly see the prisoner ; had seen the prisoner the same day in the Square ; believes he was walking about nearly the whole of the day.

This was the case for the prosecution.

The prisoner called witnesses to prove an alibi.

Mr. Justice BOSANQUET then summed up the evidence ; at the conclusion of which, the prisoner expressed a wish to address the Jury ; and, on being permitted, he said that all the witnesses had sworn to him within one half hour, and he must have been a very active man to have done it all in that time. He was sworn to by no one but persons whom Mr. Bull and his son had brought to the prison for that purpose, and it was all a spite and a grudge.

The Jury found him *Guilty*.

The witness, Martha Davis, was here called ; and the Chief Justice said he thought it proper to inform her that, in consequence of her extraordinary courage, he had ordered her a reward of £10. The order on the Sheriff's was then handed to her ; and she curtsied and retired.

Thomas Gregory, Cornelius Hickey, and James Snook, were indicted for destroying the house of William Strong. The prisoners pleaded Not Guilty.

The ATTORNEY-GENERAL said—Gentlemen of the Jury—We find it impossible to separate this case from other acts of violence which were perpetrated upon the same night, because it appears that every thing which was done—every act that was committed was but in furtherance of one common cause ; and the violence that commenced with the Mansion-house was continued along the whole line of the buildings until all was destroyed. Gentlemen of the Jury, you are perfectly aware that, on the Saturday of the 29th, the Recorder of this city was assailed, when in the discharge of his duty, by a mob, for the atrocious purpose of doing him some bodily injury. You well know that the violence was continued during his progress to this place, and that the same conduct was pursued at the Mansion-house, and that ultimately the house of the Chief Magistrate was destroyed. There was no part of the following day, when the most respectable parts of the city were not exposed to the outrages of a ruffian mob, effecting mischief to individuals, mischief to property, and mischief to the public. We have heard that both prisons and the Bishop's palace were destroyed, and we shall find that throughout the day the Square was in the possession of the mob, meditating, and sometimes avowing, their intentions of destroying it. After the firing of the Mansion-house, the flames were rapidly spread throughout the whole line of building to the Custom-house, and then it was that the prisoner Gregory appeared in the Avenue adjoining, with a crow-bar upon his shoulder, and proceeded to the house of Mr. Strong. You may well suppose, Gentlemen, that, witnessing the acts of that night, the inhabitants retired, taking with them all the property they could, and leaving the walls of the house to their fate. It will be shewn, that the prisoner Gregory went into the house with a lighted torch in his hand, for the express purpose of effecting its destruction—that he left it with the torch still in his hand—that, shortly after his so quitting it, the house was in flames, and that he was afterwards seen with pro-

erty in his possession. There can then be no doubt of the intention of this prisoner in being present at the scene of violence. He went there for the purpose of effecting the ruin of a respectable family—for the purpose of pocketing a share of the plunder. With respect to Snook, a name which it appears is the one by which he is familiarly known, we shall show that he was in the kitchen of the same house, assisting Gregory in the work of plunder and demolition; and for Cornelius Hickey, you will have no difficulty in inferring that he also was a co-operator with them in furtherance of their guilty intentions.

The charge was clearly proved by the evidence, and the Jury returned a verdict of *Guilty* against all the prisoners.

*William Reynolds* and *Richard Vines* were found *Guilty* of destroying the dwelling-house of the Rev. Charles Buck, in Queen-Square.

#### SENTENCES OF THE PRISONERS.

On Thursday the 12th January, the prisoners who had been capitally convicted were brought up to receive sentence.

*Christopher Davis*, *William Clarke*, *Thomas Gregory*, *Richard Vines*, and *Joseph Kayes* were first placed at the bar, and the Judges having put on their black caps, the usual question was put to the prisoners, by the Clerk of the Arraigns, “what have you to say why sentence of death should not be passed upon you to die according to law?” When it came to Kayes’ turn, he fell down in a strong fit of agony, during which his convulsed frame required the restraint of five or six men; he exclaimed “Oh I’m not guilty—I’m not guilty!—Oh my God!—my wife! my children!” By order of the Lord Chief Justice he was taken back to the cell below the hall, but for a considerable period his ravings were distinctly heard in the Court, and created a great sensation. Several females fainted, & were carried out.

Gregory continually addressed the Court in broken sentences—“O my dear Lord, I’m innocent—I’m innocent as a child unborn—I never was before a gentleman in all my life, nor in a prison before—O have mercy upon me, my dear Lord.”

Clarke leaned his head over the rail of the bar apparently feeble and exhausted; and Vines repeatedly implored mercy.

The Lord Chief Justice addressed the prisoners to the following effect:—“Prisoners at the bar,—You have been convicted upon evidence in each particular case, which can leave no doubt of your guilt upon any reasonable mind, of crimes so deeply affecting the interests, even the very existence of human society, that your lives have become justly forfeited to the laws of your country. Assembled together with multitudes of others, evil doers like yourselves, you have by threats and acts of violence, thrown the peaceable and industrious inhabitants of this city into a state of panic and alarm; you have deprived many of their only means of livelihood. You have carried fire to public buildings, and to private dwellings, and have exposed the property of all to pillage, and the lives of

many to destruction. Human society cannot be held together if crimes like these are not put down by the strong hand of the law. Unless others are deterred from the commission of similar enormities by the just severity of your punishment, all that makes life valuable to man, the free enjoyment of the fruits of his honest industry and protection from personal violence, must be altogether given up. The innocent and weak will become a prey to the wicked and the strong ; and brutal force will take the place of order and of law. What motive could lead you to the commission of these crimes, it is impossible from the evidence brought before us to judge with any reasonable certainty. It was not the pressure of want or misery ; it was no grievance, imaginary or real, under which you laboured. I fear no other purpose can be assigned that will apply to the greater number who shared in these wicked transactions than that of giving up this city to the flames, that it might become the object of universal pillage. You stand each of you a striking and awful example to others of the wickedness which men commit, and the misery which inevitably follow it, when they throw off the restraint of the laws of God and man, and give themselves up to their own unbridled passions. I can only pray that your unhappy example may be the means of preventing all others from treading in your steps.

“ You, Christopher Davis, are proved to have been present at the greater part of the lawless acts which have been committed within this city. You appear to have stood amongst the foremost of the multitude in their various acts of devastation. They were at once encouraged by your presence and example, and excited to further acts of outrage by your violent and inflammatory language. It is, indeed, a grievous and unhappy sight—a man, respectable from his age and station in life as you appear to be, bringing misery upon his friends, and destruction to himself, by yielding to the turbulence of his passions.

“ You, William Clarke, have also been proved to have been one of the foremost in the work of destruction. By you, a violent and tumultuous mob were instigated, and led on to the attack, and the destruction of the bridewell and the gaol. Your previous condition and habits of life now only serve to aggravate your crime beyond that of many others, who were induced by your example to the commission of these enormities.

“ You, Thomas Gregory, formed part of that riotous mob which plundered the dwelling-house of William Strong, and are proved to have been one of the persons who actually carried into the house the flaming papers by which it was afterwards burned to the ground.

“ You, Richard Vines, after you had broken and entered into one house with a tumultuous assemblage of people, are proved to have fed the fire, by which it was afterwards destroyed, with the books and furniture belonging to the owner. You are also proved to have called upon the mob to come on ; and with such unlawful aid you broke into another house, which you first assisted in plundering, and consigning it to the flames.

Let me, therefore, most earnestly exhort you all to prepare yourselves by every means in your power for that great and awful change which doth most assuredly await you within a very short time. Apply yourselves earnestly and fervently to the Throne of Grace, that you may endeavour to obtain from Him who knows how to reconcile mercy with justice, that forgiveness which the laws of man cannot extend to you. And now nothing more remains than the duty, to me a most painful one, of pronouncing the last sentence of the law—"That you, and every of you, be taken hence to the place from whence you came, and from thence to a place of execution, where you be severally hanged by the neck until you are dead; and may the Lord, in his infinite goodness, have mercy on your guilty souls."

On the conclusion of his Lordship's address, Davis wrung his hands and exclaimed—"O my Lord, I hope you will have mercy—I never was in any depredation—I never meddled with any one thing—I never meddled with the fires—I never drowed (threw) a stone or nail—I never was in a gaol before—I hope my Lord you will have mercy upon me."

The following prisoners were then ordered to the bar to receive sentence:—*Patrick Kearney, Daniel Higgs, James Courtney, John McCay, Thomas Evans Bendall, James Sims, John Tonell, Matthew Warry, Cornelius Hickey, James Snook, Wm. Reynolds, Georg: Andrews, Patrick Barnett, Benjamin Broad, Stephen Gadsford, Michael Sullivan, Timothy Collins, Henry Green, and Charles Williams.*

The Chief Justice proceeded to pronounce sentence on them in the following terms:—"Prisoners at the bar, after patient trials before impartial and intelligent juries, each of you has been found guilty of an offence against which the laws of your country have, for the security of all, decreed the sentence of death. You have, with many others who for the present have escaped the hands of justice, devoted to plunder and destruction the city in which you live,—the place which had afforded to all of you subsistence and protection. You have reduced parts of it to a state of ruin and desolation more complete than any foreign enemy—unless the most merciless—would have inflicted upon it. You have deprived many industrious families of their only means of support and subsistence, and the blood which it was necessary to shed in order to repress your acts of wanton outrage may be justly considered to lie at your door. You seem to have thought at the moment of your triumph, when you were excited by the absence of control, and inflamed by the unrestrained use of intoxicating liquors, that the law was for ever banished from the land. But you stand now at the bar of justice—a sad proof to yourselves, and a monument and warning to all others, that the triumph of injustice is short-lived, and that the law of your country is too strong to be assailed by such vain attempts as yours. Under the commission of offences so aggravated, I know not that any just exception could have been taken, if the full measure of

the punishment, in some of your cases at least, had been allowed to take its course. But the earnest hope we entertain that the sad fate of those on whom the sentence of the law hath been just passed will operate as a sufficient warning to all others, induces us to join in a humble recommendation to His Majesty, that your lives may be spared. I would not, however, have you expect, that by escaping the bitterness of death, you have avoided every punishment for your offence; you will pass the remainder of your lives in a foreign and a distant land, separated for ever from parents, relations and friends, and in a state of severe labour and constant privation. Thus will your perpetual absence from your own country prevent you from disturbing again the peace and happiness of society, and will operate as a warning to all others to avoid the example of your crimes. For the present, the sentence of death must be recorded against you.

Kearney exclaimed—"I consider I'm deprived of my liberty owing to false swearing. But I don't care, my life is spared—Ireland is free—little Ireland for ever."

*Richard Dady* was then brought forward to receive sentence, and addressed the Court—"O my Lord, have mercy upon my wife and children—I did not intend to go and plunder—I went out with my wife on my arm, and a young man asked me to take some goods. Look upon my wife and seven children depending on the work of my hands, and have mercy upon me!"—The Chief Justice passed sentence of *Six months' imprisonment and hard labour*. The prisoner had evidently anticipated a much severer doom, and on hearing his sentence, he clasped his hands, and said with great earnestness—"God bless you, my Lord!"

The Lord Chief Justice then took leave of the Grand Jury, for whose zeal, care, and assiduity in the discharge of their arduous and important duties, his Lordship said, the country was much indebted. His Lordship also complimented the citizens at large for their exertions in preserving peace and order. The Chief Justice shortly after left the city for London, to preside in his own Court.

**SENTENCE ON KAYES.**—This man was afterwards brought up, and sentence of death was passed upon him by Mr. Justice *BOSANQUET*. It is perfectly clear (said his Lordship) that you formed a part of the mob which committed those enormous offences, and it has been fully proved that you assisted actively in destroying three dwelling-houses. The prisoner, who had resumed much of the hardihood of manner which he evinced on his trial, left the bar exclaiming that he was a murdered man, and was judged wrongfully.

## GENERAL SUMMARY OF THE SENTENCES.

Of 102 prisoners, 81 were convicted, 21 acquitted, and against 12 no bills were found. On 18 indictments no evidence was offered.

Of the prisoners convicted, 5 were sentenced to death; against 26 judgment of death was recorded; 1 was transported for 14 years; 6 for 7 years; and 43 were sentenced to various terms of imprisonment with hard labour.

The above statement refers only to cases connected with the riots.

*Prisoners Convicted and Sentenced to Death.*

Christopher Davis, for destroying the Gaol.

William Clarke, for destroying the Gaol and Bridewell.

Thomas Gregory, for destroying the house of Mr. Strong.

Richard Vines, for destroying the Rev. Mr. Buck's house.

Joseph Kayes, for destroying Mr. Bull's house.

*Death Recorded.*

Henry Crinks, Joseph Thomas, and David James, for breaking into the dwelling-house of J. S. Rowe, and stealing spirits.

Patrick Kearney, Matthew Warry, and John Towell, for destroying the Gaol and Bridewell.

Jas. Courtney, J. Mecay, and D. Higgs, for destroying the Gaol.

T. E. Bendall and Jas. Sims, for destroying the Bishop's Palace.

C. Hickey and James Snook, for destroying Mr. Strong's house.

Wm. Reynolds, for destroying the Rev. Mr. Buck's house.

George Andrews, Patrick Barnett, Benjamin Broad, and Steph. Gaisford, for destroying Mr. Cross's house.

Michael Sullivan, for destroying Mr. Broad's house.

Timothy Collins, for destroying the Mansion-house stables.

H. Green and Chas. Williams, for destroying Mr. Leman's house.

James Coleman, for robbing Mr. Thomas Blethyn.

James Price and James Dyer, for stealing from the house of Richard Walters four gallons of beer.

James Walker, for assaulting George Baker, and obtaining by force, one quart of beer.

*Fourteen Years' Transportation.*

James Ives, for stealing a gold watch, the property of the Rev. Charles Buck, and for stealing a silver salver, the property of the Corporation.

*Seven Years' Transportation.*

William Christopher, for stealing wearing apparel, &c. from Mr. J. S. Broad.

Aaron Martin, for stealing several articles from Mr. Johnson.

James Street and Charles Huish, for stealing five gallons of wine, the property of Miss Davey.

Richard Neville, for stealing a table, the property of some person unknown.

Joseph Keates, for stealing a violin, the property of W. Cross.

*Two Years' Imprisonment, with Hard Labour.*

Samuel Browning and Felix Wyman, for stealing various articles of linen, the property of Joseph Reynolds.  
 John Harper, John Jeremy, Charles Coates, John Rees, James Phillips, Edw. Macdonald, Wm. Bennett, Daniel Sullivan, and Wm. Champ, for riotously assembling & disturbing the peace.

*Twelve Months' Imprisonment, with Hard Labour.*

Catherine Hogan, for stealing silk dresses.  
 Thomas Gallick, for stealing wearing apparel from B. Bickley.  
 William Punch, for stealing various articles from T. Evans.  
 Benj. Doune, for stealing a brass weight belonging to the King.  
 Wm. Drew, for stealing wearing apparel from John Moxham.  
 Daniel McCarthy, for stealing books, &c. from Mr. Barnard.  
 John Jones, for stealing a military jacket from Robert Say.  
 William Mason, for stealing a gold watch and silver pin, belonging to Julia Harford.  
 Charles Nott, for stealing spirits from Edward Zincraft.  
 William Beard, for stealing a silver snuff box, the property of William Humphries.  
 William Jenkins, George Styling, Wm. Morgan, Peter Brown, John Jacobs, Wm. and Jos. Hedges, for riotously assembling.

*Six Months' Imprisonment, with Hard Labour.*

H. Rees, for stealing a book, &c. the property of H. B. Smith.  
 William Burgess, for stealing paper, the property of the King.  
 James Cole, for stealing a box and books from Mr. Johnson.  
 Edw. Dady, for stealing two drawers, the property of the King.  
 T. Brimnell, for stealing a bible, the property of J. P. Kirby.  
 Daniel Doyle, for stealing a watch, the property of A. Brettell.  
 [This prisoner (a lad) was, in addition, sentenced to be privately whipped.]  
 James Bentley, for rioting.

*Four Months' Imprisonment, with Hard Labour.*

Thomas Hussey, Wm. Jarvis, and Stephen Cullen, for stealing six bottles of wine, the property of Thomas Kington.

*Three Months' Imprisonment, with Hard Labour.*

John T. Buffin, for stealing plated articles from B. Bickley.  
 J. Simmonds, for stealing articles from W. Strong & T. Webb.  
 William Lee, for stealing a silver spoon, from W. C. Stephens.

*One Month's Imprisonment, with Hard Labour.*

Thomas Lane, for stealing a brass chandelier, from C. Pinney.  
 Mary Parker, for stealing a sofa, the property of B. Bickley.

*Prisoners against whom No Bill was found.*

John Britton, charged with stealing a sword, the property of Henry Jew.  
 Richard Phipps, Thomas Fitzgerald, and Wm. Beer, charged with assisting to destroy the Gaol.  
 Sarah Anderson, charged with having stolen one sofa, the property of B. Bickley.

**Samuel Harding**, charged with beginning to demolish the Custom-house.

**James Donovan, John Dally, James Bayley, Charles Turtle, and James Elliott**, charged with beginning to pull down a house in the parish of St. Nicholas.

*Prisoners tried and acquitted.*

**James Williams**, charged with destroying the Gaol by fire.

**E. Arborn**, charged with destroying the house of Mr. Barnard.

**William Osgood**, charged with destroying the Bridewell.

**Samuel Levers**, charged with stealing a cancelled order, the property of J. S. Broad.

**John Peach**, charged with stealing plated articles, the property of the Right Rev. the Lord Bishop.

**Thomas Martin**, charged with stealing several articles, the property of Mr. Johnson.

**Samuel Newton**, charged with stealing five boots, and other articles, belonging to Daniel Sheppard.

**Mary Charles**, charged with stealing a muff, and some stair-carpeting, the property of Mr. and Miss Barrett.

**Margaret Gwyer**, charged with feloniously receiving a sheet belonging to William Humphries.

**James Hasty**, charged with stealing paper, value two shillings.

**John and Sarah Cox**, charged with receiving a violin, knowing it to have been stolen.

**Eleanor Doyle**, charged with stealing and receiving property.

**Samuel Smith**, charged with receiving a dressing table, the property of Miss James.

**John Bond, James Dyer, Robert Ponchard, Anthony Harvey, Jonas Osborne, and John Howell**, charged with riotously assembling and disturbing the peace.

*Prisoners against whom no evidence was offered on the following charges.*

**John Tarrant Buffin** (in consequence of a previous conviction,) charged with stealing a snuff-box, &c. from J. Richardson, and some handkerchiefs from Christopher Claxton.

**Margaret Gwyer** (in consequence of a previous acquittal,) charged with stealing a sheet, the property of Mr. Humphries.

**John Peach** (in consequence of a previous acquittal,) charged with stealing various articles.

**William Reeves**, (in consequence of insufficiency of evidence to criminate him,) charged with stealing paper, value 2s.

**W. Doherty** (in consequence of insufficiency of evidence,) charged with stealing butter, the property of a person unknown.

**Thomas Ayland** (in consequence of previous good character,) charged with stealing a bonnet.

**James Williams** (in consequence of a previous acquittal,) charged with stealing two blankets and a pair of shoes, the property of the Mayor and Corporation.

**Wm. Osgood** (in consequence of a previous acquittal,) charged on three indictments with various offences.

**TRIAL OF CAPT. LEWIS,  
CHARGED WITH MANSLAUGHTER.**

*(Before Mr. Justices Bosanquet.)*

*James Cossley Lewis* was charged on the Coroner's Inquest\* with killing and slaying one Thomas Morris, on the 31st Oct., by shooting him with a pistol.

Counsel for the prosecution, Mr. Ball; Attorney, *said to be* a Mr. Palmer, of London, who appeared by a deputy calling himself Edmonds.—Counsel for the accused, Messrs. Campbell and Palmer; Attorney, Mr. Daniel.

The following witnesses were examined in support of the charge:—

Wm. Watts, the father-in-law of the deceased, deposed that the boy was named Thomas Morris, and was 12 years of age; he worked at the pottery on Temple Back, and left home 20 minutes after 7 in the morning of the 31st Oct.; he died at the Infirmary.

Cross-examined by Mr. CAMPBELL.—I am the prosecutor on this trial; I employed Mr. Palmer; I do not know him; he is an attorney in London whom I never saw in my life; his clerk was here, and I applied to him; he was here when they were sitting on the child's body; I believe it is Mr. Edmonds; he does not live in Bristol; I asked him to take it in hand; he was an entire stranger to me; he spoke to me concerning it; I don't know how he happened to be at Bristol at that time; I never saw him before; he told me he was an attorney's clerk; he spoke to me in the passage at the Dolphin where the inquest was sitting; I mentioned Mr. Palmer to him; I had heard of him before; I heard he was a gentleman in the law, who would take it in hand for me; I never saw Mr. Palmer in my life; I spoke to his clerk; I have not supplied him with any money; did not send to him to come to these Assizes; I gave instructions for the first indictment preferred against Capt. Lewis; in that indictment Mr. Edmonds appeared as the prosecutor; he did so also on the second bill of indictment sent to the Grand Jury.

Re-examined by Mr. BALL.—I had heard of Mr. Palmer's name before, and knew Mr. Edmonds to be his clerk; Mr. Edmonds attended before the Coroner at my request; he cross-examined the witnesses; a gentleman named Daniel appeared on behalf of Capt. Lewis.

By the Court.—I do not know whether the Coroner's inquest had begun and was proceeding when I first spoke to Mr. Edmonds; they had assembled; the business had begun; I do not know that Mr. Edmonds attended the inquest as a short-hand writer; I am quite sure the inquest had begun before I spoke to Mr. Edmonds.

\* The Jury ignored a bill which had been presented to them, charging Capt. Lewis with murder.

Wm. Booth, pig-butcher, of Bedminster, deposed that he was on the Back on 31st October, near Queen-square; was about 5 yards from the boy; I heard the report of a pistol, turned my head, and saw the boy fall; saw two persons pick the boy up; I went to the boy, and found that the ball had gone through his body; I saw the gentleman run away—that is the gentleman (pointing to Captain Lewis); some one jumped on his back, and another was in his front trying to take a pistol from his hand; the men who were at his back and front threw him on the ground; I did not hear the gentleman say any thing; there was not the least riot or disturbance in that place; I could not see the gentleman who fired.

John Sambrook, examined.—I am a carpenter, living in Cherry-lane; was in Grove Avenue about quarter past 8 on the morning of 31st October; saw about 20 constables driving a man out of the Square; they had short sticks in their hands; when they got him to the corner of the avenue they left him; I saw a gentleman in a light drab coat: I do not know him; he ordered the men on; had nothing in his hand; he followed them down the avenue and ordered a man who had a smock frock to go on; a second man from the corner came up, and the second man said to the first, "don't thee go on for him;" the gentleman told him again to go on; the man said in a jeering way, "I'm d—d if I goes on for thee;" the gentleman said "I'll make you go on;" I saw nothing in the gentleman's hand; he pulled a pistol from his side pocket immediately, dropped it to his side and cocked it, and it went off immediately; the man was standing right before him, not a yard from him; I saw the direction of the pistol; he pointed it carelessly; he did not point it at any object at all; it went off immediately; I was in the Avenue; there were about half a dozen persons in the Avenue; I saw a boy drop immediately I heard the report of the pistol; the gentleman walked towards Prince's street; the man he was ordering away ran after him and jumped upon him; I don't know what became of the pistol; I did not see any blood or dirt on the gentleman's face; the constables came up in a minute or two; from 20 to 30 came up; they went along the Grove after the gentleman.

Cross-examined.—The man whom the gentleman was ordering, was reluctant to leave the Square; was in a smockfrock; the gentleman might as easily have shot one as the other; he could not have missed if he had tried to shoot them; the pistol was not pointed at any object when it went off; it rather declined downwards.

James Haynes, sen. examined.—I live in St. James's-barton, and am a combmaker; went to Queen-square on 31st Oct. for the purpose of joining the constables; we cleared the avenue, and returned satisfied; I saw Capt. Lewis after this happened; heard the report of a pistol within the Square, but not in the avenue; I continued with the party, and heard a boy cry who was very near to me; we came up to where the boy was shot; I saw Capt. Lewis raise his head from among the constables;

he said he had been insulted, and had done it in his own defence; I saw 20 or 30 constables; I saw no riot or disturbance in that place; I saw Capt. Lewis go away from the party and begin to load again; I can't say who was with the boy.

Cross-examined.—I saw only one pistol, and had not a perfect view of that; I saw him put a ram-rod in the pistol.

Re-examined.—I saw him ram it down as I suppose; I did not see the pistol taken, but persons interposed to stop the reloading.

Thomas Harril examined.—I was in Queen-square soon after 7 o'clock on Monday morning, the 31st Oct.; saw Capt. Lewis there; the constables drove a man towards the Grove; Captain Lewis had some words with the man, and ordered him off; the man said he should not go; Capt. Lewis turned from the man, and the man followed him; the Captain pushed him, and insisted upon his going up the Grove; the man wished to know Lewis's authority, upon which the Captain drew a pistol from his side and fired it off; there were very few people in the avenue at this time; the boy was within a few yards of Capt. L.

Henry Haynes examined.—I am son of Mr. J. Haynes who has been examined; I went to Queen-square on the 31st Oct. as one of the constables; I was in the Square when the pistol was fired; we directly ran down to the avenue leading from the Square to the Grove; the whole party, 30 or 40, went; saw Capt. Lewis rising; he had been knocked down; they asked what he had shot the boy for; he said he had been insulted and done it in his own defence; I did not see the least riot or disturbance in the avenue; I saw the pistol afterwards; Mr. Lewis was preparing to re-load it; he had just half cocked it; one of them said "he is going to load it again;" I don't think they took it from him; the boy was sitting down at the bottom of the avenue; when I heard the pistol there was not the least rioting in the Square or Prince's-street; several houses were burning.

Robert Withers examined.—I am a carpenter, and live in Merchant-street; went into the Square on the 31st Oct. about 10 minutes before 7; found about 30 or 40 constables there, and 6 or 8 horse soldiers; I acted as a constable, and had piece of a mop-stick; I do not know Capt. Lewis; I heard a pistol fired, and ran to the avenue; saw a boy, with blood running through his waistcoat; he was standing, and another lad was holding him up; did not see a pistol; heard a gentleman say he did it in his own defence; I saw the gentleman, with his face all over blood, leave the crowd and go away; I left the place and went home.

John Angle examined.—I am a butcher; was in the avenue between 8 and 9 in the morning; saw a man there they called Capt. Lewis; there were 8 or 10 people there; saw him push a man with his left-hand, and say if he did not go along he would make him. I then saw him draw a brass pistol with his right hand rather sideways; saw him fire; he did not take much of an aim; saw a boy drop, who was 10 or 12 yards from him at

the bottom of the avenue ; saw no blows struck ; I could not help seeing if any had been struck ; I had a full view of the man ; he had a drab coat ; saw no blood or dirt on his face ; he walk-away as fast as he could after he had fired ; the boy lay on the left hand side and Capt. L. went on the right hand ; I and my little boy went home as fast as we could.

Cross-examined.—I saw some blood on Capt. Lewis's face after the job was over ; I did not see any one else come up when Capt. Lewis was pushing the man ; did not hear a man say, " Do not thee move for him ;" I saw only the man who was pushed ; did not see any other handy ; did not hear a man say, " I be d--d if I go for thee ;" Capt. Lewis could easily have shot the man near him ; it did not appear to be aimed at the man ; it seemed to be aimed at somebody, because it killed him.

Re-examined.—I was about seven or eight yards from Capt. Lewis when he fired.

Edward Eaton called by the prosecutor's Counsel and examined by Mr. CAMPBELL.—When the pistol went off I was behind the boy that was shot ; before the pistol was fired there was a dispute between a man in a drab great coat (Capt. Lewis) and another man ; I did not hear what it was.

Cross-examined by Mr. BALL.—I heard Capt. Lewis say he had fired in his own defence.

James Symonds examined.—I am a confectioner, No. 4, Avon street, Great Gardens ; was in the Square on the Monday ; I went to look at the ruins, and passed round the footpath in the Square ; heard the report of a pistol ; went down the avenue ; saw Capt. Lewis near the avenue ; saw persons about him ; some constables came afterwards ; I saw some one endeavouring to take the pistol from him, hitting at him ; he threw him on the ground ; I saw no rioting in the Square or in Prince's-street.

Wm. Francis Morgan examined.—I am house apothecary at the Bristol Infirmary ; a boy called Thomas Morris was brought to the house at half-past eight on the morning of the 31st Oct. ; he died on Tuesday ; a pistol ball had passed nearly through the body, and lodged near the skin of the back ; saw the boy's father-in-law, Watts, there.

Cross-examined.—The ball must have taken a direction upwards, either from rebounding on the ground or from the obstruction of a bone in the body ; I think the former mode the most probable, that the ball struck the ground and rebounded ; the boy said he thought it was accidental ; he was then aware of his danger.

Re-examined.—The wound was circular ; I extracted the ball ; I do not know where it is ; it was an ordinary pistol ball ; I did not observe any indentation in the ball.

Wm. Watts (the boy's father-in-law) recalled.—I saw the boy that day in the Infirmary ; the boy died on the Tuesday ; he was sensible of his danger to the last minute ; he was told he was like to die ; on his death-bed he said, " it was all very quiet when I went down, and a man pulled out a pistol and shot me."

Mr. Morgan re-called.—I had a conversation with the boy about two hours before his death, and he said he had been shot by a constable; that it was not intended for him, but for a man who escaped it.

(This was the case for the prosecution.)

Captain Lewis then proceeded to read the following Defence, which he did with much firmness generally, though at those portions of it which adverted to the services he had rendered his country, the serious nature of the charge against him, and his regret for the accident which deprived a fellow creature of life, his voice occasionally faltered.

“ May it please your Lordship,

“ Gentlemen of the Jury.—Having lately, in common with you my fellow-citizens, endeavoured to contribute to the preservation of the public peace, I stand before you, charged with a crime, which would expose my person to transportation, my property to forfeiture, and my character to ignominy. I appear at this bar, accused of Manslaughter, for having, upon the requisition of the Magistracy, and from my own sense of duty, exerted myself, at the risk of my life, to repress outrages in this city, so dreadful that no description could equal the recollection of them which must ever remain in your minds. Gentlemen, it is by your verdict of *guilty* or *not guilty*, that it will be established, whether, when a Judge coming to administer justice by authority and in the name of the Sovereign, had been insulted upon his tribunal, and forced to fly from the city for his life; when all the gaols had been set on fire and the prisoners discharged by an infuriated mob; when the palace of the Bishop had been sacked and a great part of it demolished; when the house of your Chief Magistrate, the Custom-house, the Excise-office, and a considerable portion of the fairest quarter of your city had been laid in ashes; when the perpetrators of these enormities were *still* unsubdued and threatened to continue their devastation;—an individual, belonging to *no* party, having *no* motive but the discharge of his duty, might not act in the defence of the laws as a good and loyal subject, without being liable to be for ever banished from his country—to be reduced from a state of affluence to beggary—and to have a lasting stain cast upon a reputation which he will venture to say, has to *this hour* remained *unstained*.

“ But, Gentlemen, I shall appeal *only* to your *calm* and *deliberate* judgment; and ask your verdict of acquittal, *only*, upon your being satisfied that I in no degree transgressed the law—and that I am *wholly* innocent of the crime laid to my charge.

“ I shall therefore proceed with succinctness and simplicity to give you a narrative of the circumstances which have placed me (I think undeservedly) in this painful situation.

“ Gentlemen, I am a native of this city, and I early entered the army in the service of my country; I originally served in the cavalry; afterwards in the rifle battalion of the 60th regt. foot. On the return of that corps from North America, I was appointed to my present regiment. I went out with it to the

East Indies, and served with it at each of the three Presidencies, but in consequence of the injury my health sustained whilst performing the duties of fort adjutant at a station in the Upper Provinces, I was obliged to return to Europe. On the recovery of my health I was again engaged in active service, and I ultimately joined the army in the Netherlands under the command of Lord Lynedoch. At his express desire I was placed in the quartermaster-general's department on the staff. On Sir Herbert Taylor joining the army and taking the command of a brigade, I was appointed by him his brigade major—continuing so, under Col. Browne and Sir Colin Halkett, till the army finally got possession of Antwerp. I was present, and acted in that capacity, at the two affairs at Mersem,—at the bombardment of Antwerp, and the subsequent unfortunate attack on Bergen-op-zoom. Were this the proper occasion, Gentlemen, I could produce testimonials not only from the General Officers I have named, but from others also, high in command, which would shew in a manner *very* flattering to me, *their* opinion of my character and conduct.

“ Upon the return of peace, I sought the quiet of domestic life, and settled as a private individual in my native city, but still remaining on the half pay of my regiment. For fifteen years I have been a resident amongst you, and *you* can judge whether I have obtained, and merit, the good will of my fellow-citizens.

[Capt. Lewis here narrated the circumstance of the enrolment of special constables, and his being appointed a leader of 20 of this constabulary force in Dec. 1830, with the understanding that their liability under the oath then administered did not cease with that occasion.]

“ I was abroad (continued Capt. L.) during the last autumn with my family in Devonshire. I returned to Bristol on the day preceding the Saturday on which Sir Chas. Wetherell made his public entry into this city, in consequence of having been summoned to serve on the Grand Jury.

Captain L. proceeded to relate what passed under his own notice,—the firing of the 14th in College-green, on the Sunday morning,—and went on to say, that he did not go to the Cathedral as he had intended, and as was his custom, but to the Commercial Rooms, “ where, (he says,) I perceived a paper affixed to the bar, requesting the citizens to meet the Magistrates at the Council-house without loss of time, to assist them in suppressing the riotous conduct of the mob, and restore the peace of the city. I considered it my duty as an individual, residing and possessing property in it;—as a constable, sworn to maintain the peace;—as an officer in the King's service, and as a loyal subject, to render all the assistance I could; and I accordingly repaired to the Council-house. I met at the outer door other well-disposed citizens attending for the same purpose as myself. The Council-house was shut; we were directed to the Guildhall, and walked down there together. On entering the passage, we met about 25 or 30 gentlemen, headed by Mr. Alderman Geo

Hilhouse, coming out. He addressed me, saying they were going down to the Square, to endeavour, *by persuasion*, to induce the mob to disperse, and begged me to join them; they had no staves.

" I fell into the rear of the party, and accompanied them to the Square; on our arrival there, I for the first time saw the devastations of the preceding night; a party of the 3rd dragoon guards were parading up and down one of the avenues immediately fronting the Mansion-house, and occasionally keeping the people from encroaching on the vacant spot; the latter were apparently kept in check, and except now and then annoying the soldiers, who rode after them and drove them down the street, nothing very serious occurred; but all attempts to prevail upon them to disperse and retire to their houses, were *useless*. This continued some time. The city constables appeared to have been completely overpowered, and after remaining there till about half-past two o'clock in the afternoon, I went home. About half-past three I was informed that the City Bridewell was in flames; I went out to ascertain the fact, and found it to be so. I then *again* repaired to the Commercial-rooms; shortly after, Mr. Alderman George, accompanied by Mr. L. O. Bigg, the Solicitor, came in, and most earnestly entreated us to collect a force together, and endeavour to get the riot under. The Alderman stated that the inhabitants must act with vigour—that the Magistrates, without *THEIR* co-operation, were powerless, and had not the means of quelling the riot, which was every moment assuming a more alarming appearance—that the Bridewell was already in flames—the Gaol threatened—the greater part of the military withdrawn, and that in all probability, before morning, unless the most prompt and vigorous measures were taken, the city would be in ashes. I believe I addressed a few words to Mr. Alderman George, on the impossibility of the special constables, at that advanced period of the riot, putting it down, unaided by the military, but I immediately left the room, and proceeded towards the Gaol, which the rioters were about to break open. On going down Clare-street, on the right hand side, I overtook a party of about twenty or thirty gentlemen, with Mr. Alderman A. Hilhouse, and, I believe, Mr. Savage, at their head, proceeding thither. I joined them. We found the Gaol completely surrounded by the mob, and, on endeavouring to get near the entrance-gate, several of us were knocked down and very seriously injured. *We had no staves*. In short, the mob had every thing their own way. The special constables, without staves, were powerless, and I was glad to get from amongst them, but did not effect it till the Governor's house was in flames, and they had got complete possession of the Gaol. I then returned home, as the party I had joined were dispersed, and our assistance, for want of the co-operation of the military, was quite useless.

" I had not been in my house half an hour when a report reached me that the Gloucester County prison was in flames, and the mob were on their way to the Cathedral. I again determined on rendering what aid I could, and instantly went to the Bishop's

Palace. I found that the mob had plundered it, and having set it on fire, were attempting to break into the Cathedral, by the door under the Cloisters, near the Chapter-house. By the exertions of a small party, whom I joined, they were repulsed, and the fire apparently extinguished. The alarm was then given, that the mob were breaking into the houses in Queen-square, and firing them. Part of the rioters went away for a short time, and then returned and succeeded in again setting fire to the Palace. I did not leave it till I saw the smoke issuing from the roof, and all hope of being of further service was gone.

"I then went to the Square, where the mob were numerous, and carrying all before them. The Mansion-house and the several adjoining houses were in flames, and riot and plunder were uncontrolled. I staid and rendered what assistance I could, but in endeavouring to prevent some ruffians from entering the Custom-house, I was knocked down and trampled upon, and so much injured that I was ultimately obliged to return home, which I did, I think, about two o'clock in the morning. I had continued to exert myself as long as my strength lasted. During the whole of these proceedings I had no constable's staff, stick, or weapon of any kind. As I before observed, no staves were ever given to the constables of the parish where I reside, and I knew not, in such a state of confusion, where to procure one.

"On reaching my own house, being quite exhausted, after a short time I went up to my bed-room and laid down in my clothes. I got up at daylight, and was told that the Magistrates had called out the Posse Comitatus. A few minutes afterwards one of the city officers came to the door, and delivered a message from the Magistrates, earnestly requesting that I would repair to the Guildhall, where the citizens were assembling, and join them in taking measures for restoring the peace of the city. From the experience I had during the night, in the different attempts made to disperse and subdue the rioters, I was fully persuaded of the necessity of having with me the means of protecting myself, and that it was dangerous to face such an infuriated, drunken, and lawless mob, unarmed. I therefore determined on taking my pistols with me, and I accordingly placed them in the inside bosom pocket of my upper coat. I did this, not with a view of using them offensively, but merely as a means of self-defence.

[Captain Lewis then noticed the particulars of an interview which he had at the Guildhall with Mr. Alderman G. Hilhouse, of whom he inquired whether he was authorised to carry fire-arms? Mr. Alderman Hilhouse replied, if resisted in executing your duty, defend yourselves in the best way you can, with arms or any thing else you may have about you. The Posse Comitatus is called out, and the Magistrates are taking the most decided steps to quell the disturbances, and I call on you and all other respectable inhabitants of the city to assist them. He again repeated, "defend yourselves in the most effective way you can—the gentlemen are assembling in the Lower College-green, and for God's sake go and join them." On leaving

the Council-house with Mr. Downman, who was armed, they proceeded to Lower College-green, and thence to Queen-square, the devastated condition of which Capt. L. next described.]

"I saw a party of constables (continued Capt. L.) trying to turn a party of men out of the Square; the men refused, or hesitated to go, and the constables were driving them with their staves. I assisted, quietly, having no staff. We got them out of the Square, about half-way down the avenue, when one of them, who had shown the most reluctance to go, lingered behind; I spoke to him, and said he had better go quietly away; that he could have no business there, and that I was sure, from his appearance, he had not been in bed during the night; that it was quite time for him to go home. He replied, "Nor have you been in bed either, that I know d—d well; why don't you go home yourself?" During this parley he retreated slowly to the left corner of the avenue, followed by me. At the corner, two men came forward and joined him; one of them said, "he was a d—d fool if he went any further." I then discovered that there was a great many others round the corner and on the Quay, endeavouring to conceal themselves. On being joined by the other two, and after the above remark, the man demanded who I was? and advanced against me. I told him I was a special constable, and desired him to keep off. On my raising my arm to keep him from closing on me, he instantly collared me, and at the same moment I received a severe blow on the temple from one of his companions. I felt that my life was in danger. I drew one of my pistols from my bosom and presented it in self defence to the man who held me by the collar. I repeated that "I was a special constable," which he had appeared to doubt. He swore I was no constable, and I immediately received a most severe blow, just above the elbow, on the arm with which I held the pistol presented at him, which knocked it down in quite a different direction from that in which I stood, and it instantly went off in my hands. I declare, I never *intentionally*, or *consciously*, drew the trigger—the discharge of the pistol was occasioned by the blow. I immediately heard the cry of a boy, and saw him sitting about 15 or 16 yards, or perhaps more, on the ground, to my right. He exclaimed "he was shot" I was greatly shocked, and in moving a few steps towards him, was surrounded and beat to the ground. I was rescued by the body of constables. To some enquiry, I recollect saying, "I was a special constable, and had done it in self defence." I retired a few paces—some one called me by name, and desired me to unload my second pistol, for they said I had another. I attempted to do it, but from the blows about my head, as well as that on my arm, I felt so faint and sick, I was unable to get out the ramrod, to draw the charge, I therefore gave up the pistol to some gentlemen near me, who asked for it. When I said, at the time I was rescued, and picked up by the constables, "that I did it in self-defence," I meant, I drew my pistol in self defence, not of course that I shot the innocent sufferer, whom I had not seen till the misadventure

had happened. I was then advised to make the best of my way home, which I did, having begged the loan of a hat from the person in whose house I took refuge.

“ Much as I lament this most unfortunate occurrence, I shall ever console myself with the reflection that at the time I was acting in aid of the law, and not in opposition to it, and was in the execution of what I considered a bounden duty.

“ I declare to you, on the honour of a soldier and a gentleman, that I never drew my pistol till I felt that my life was in danger, and I ask you, gentlemen, were my apprehensions unreasonable, when I was in the grasp of one of the rioters who was supported by others, and there was no one at hand to assist me? So conscious is the ruffian by whom I was assaulted of the crimes he had committed and contemplated, that he has not dared to appear in that box as a witness against me, knowing that if he did he would soon be placed at the bar where I unfortunately stand. Instead of having acted with precipitation or passion, I think, gentlemen, I may take credit for having displayed some forbearance and moderation. I might easily have shot the man who collared me. He was in close contact with me, I could not have missed him; but I hoped that the threat I held out, and the menacing attitude I assumed, might have been sufficient for my protection. In the scuffle my pistol went off. I feel an anguish that I cannot describe, that an innocent boy, never seen by me, was the victim. But however deeply you and I must deplore that event, the question is—am I guilty of a crime? Gentlemen, I had no criminal intention, and I can neither accuse myself of intemperance or incaution.

“ I am wholly ignorant of the subtleties of the law. My life has been passed in other pursuits. I will not therefore attempt to touch upon the distinctions between manslaughter and misadventure, and justifiable homicide. These I must leave to the learned and enlightened Judge who presides here; but I have ever understood that British justice resembles that brightest attribute of Heaven, which looks, not to the mere unconscious act, but to the principle from which the act proceeds, and the intention of the agent; and, gentlemen, I can declare with the same solemnity, as if I were instantly to appear in the immediate presence of the Searcher of all hearts, that I was actuated only by a sincere and anxious desire to perform my duty; and that if I were again to go through the same scenes, I know not how I could differently conduct myself, with a view to gain the good opinion of others, and the approbation of my own conscience.

“ I am extremely reluctant to cast reflections on others, but I cannot refrain from remarking, that the prosecutor in this case is not the mother of the deceased boy, nor connected with his family; nor can I understand how his interference can arise from a pure desire for the due administration of justice. What could be his motive for preferring to the Grand Jury under this Commission an Indictment against me for Murder, when it never could have entered into the mind of any reasonable man, that I was guilty of that offence? The Grand Jury returned that bill of indictment, *not found* as to the whole, although

they might have negatived it, as to murder, and found it a true bill as to Manslaughter, if they had thought the evidence sufficient to put me upon my trial, even for the latter charge. The prosecutor, nevertheless, preferred to them another indictment against me for Manslaughter. The Grand Jury, having listened to all the evidence that could be advanced against me on the prosecution, and without even hearing my defence, returned that indictment *not a true bill*, thereby a second time recording their deliberate judgment of my entire innocence. Thus may I say that I have been twice tried and acquitted by twenty-three of my fellow citizens.

"Gentlemen, my fate is now in your hands. Your verdict of guilty might deprive me of country, of fortune, of fair fame. But with the greatest respect for your discernment and impartiality, I anticipate at your hands an honourable acquittal, which will restore me to my afflicted family, and to that creditable station in society which I have hitherto enjoyed, and which it has ever been my earnest endeavour through life to deserve."

#### EVIDENCE FOR THE DEFENCE.

Mr. Alderman George examined.—I went to the Commercial-rooms on the Sunday to get the attendance of the gentlemen; the riot act was read three times on Saturday evening; there was great confusion on those three days.

Mr. Alderman George Hilhouse.—Was at the Guildhall, Monday the 31st October; saw Capt. Lewis there very early in the morning; there were several gentlemen with him, who stated they were special constables, and enquired how they were to act; I gave directions to arm themselves in the best way they could, and to use their best judgment to disperse the mob.

Mr. Alderman A. Hilhouse.—I was in Queen-square early on Monday morning, and the riots were still going on; there was rioting in Prince's-street at 8 o'clock; I went thare with another Magistrate, and we could not reach the Square by the direct road on account of the rioting; went along the Quay and Prince's-street by the middle avenue in the Square; there were two houses on the left side of the Square not on fire, and the firemen wanted to preserve them, but the mob would not let them; I applied to Col. Brereton, who sent four dragoons to clear the entrance to let the firemen in; engines were in Prince's-street; I left Queen-square rather before 8 o'clock, and there were still detached parties of rioters in the Square; I had called on all persons in the King's name to come and assist on the Sunday; I told them to come with any arms they could get; from the state of the Square when I left, a constable by himself would have been a marked man if he exerted himself.

John Lee Harwood examined.—I have charge of the Seaman's Floating Chapel, kept nearly opposite the Grove; on the morning of 31st October, I attempted to go into the square between 8 and 9; went to the corner of the Grove-avenue, and observed a man behaving in a very riotous manner; he used

very abusive language ; he said if they were all of his mind he would not be put out of the Square ; this he said with many oaths and gestures ; observed a tall gentleman walking a man out of the avenue ; it was Capt. Lewis ; the man said he was doing no harm ; the gentleman said, you will do no harm by going ; by that time they had arrived at the corner, where the first man stood ; the first man then took hold of the man whom Capt. Lewis was putting out, and said he should not be put out ; the first man then came in contact with Capt. Lewis, and they were all three together ; the first man caught hold of Capt. Lewis with both hands ; Capt. Lewis had him either by the collar or his left hand against his breast to keep him off ; I lost sight of the second man ; I saw Capt. Lewis take the pistol from his bosom, and it went off suddenly, before he could extend his arm ; no aim had been taken ; the going off of the pistol was accidental ; the man threatened to force his way ; he said to the second man "you shall not go out—you shall return," and they endeavoured to force their way by Capt. Lewis into the Square ; I saw a constable at the corner of the avenue nearest the Grove, and he was the only other constable then in sight ; there were suspicious-looking persons lurking about ; 6 or 7 individuals were near the Grove.

Cross-examined.—I saw the first man run after Capt. Lewis, after he had fired, and strike him in the neck.

Jane Morgan examined.—I am the wife of Thomas Morgan, a master mason in this city ; on Monday morning 31st Oct. I went to see whether any mischief had been done to the Docks, where my husband had a contract ; I went to the Grove avenue ; I looked up the avenue, and saw several persons, some inside the Square, and some in the avenue ; I observed a man in a drab coat endeavouring to make another man leave the square ; the desperate looking man was endeavouring to push the respectable looking man, and they continued to push each other, like men quarrelling ; I heard the pistol go off ; the man had the gentleman by the collar before the pistol went off ; there were several men in the avenue, and a woman ; I am sure they were some of the rioters from their appearance : I heard one of those men say, "look what they are doing to that man—if either of you will go with me I will go and settle that fellow that's a serving that man ;" this was before the firing of the pistol.

James Sangar, cabinet maker and upholsterer, examined.—Was on the Grove on the morning of 31st Oct., opposite the south avenue ; saw Capt. Lewis making great exertions to clear the avenue ; one individual appeared very obstinate and determined not to go away ; Mr. Lewis repeatedly remonstrated with him, saying "you must and shall go away, I am a constable, and I insist upon your going."

Henry Downman examined.—On Monday, 31st Oct. I acted with the special constables ; was at the Council-house early in the morning to assist the Magistrates ; Capt. Lewis was there before me ; I had a brace of loaded pistols in my pockets, and

a walking-stick gun loaded ; I applied to the Magistrates on Sunday, and they said it was the duty of gentlemen to arm themselves in the best way they could ; I accompanied Capt. L. to the ruins of the Bishop's palace, where we understood the Magistrates were ; I accompanied Capt. L. to see if his horses were safe, and thence to Queen-square ; it was disturbed in the extreme ; met a number of persons dragging furniture of every description ; there were an immense number of persons of the lowest description in the Square ; they appeared to be rioters ; I heard no firing ; if there had been, from the cracking of timber in the burning houses I could not have heard it ; the houses on two sides was on fire, and we entered the Square between two burning houses ; Capt. Lewis remained with me till within two minutes of the accident ; I heard the pistol go off ; I ran to the spot immediately, and continued there until Capt. Lewis went away ; he certainly did not attempt to re-load the pistol ; on the contrary, he attempted to unload a pistol, and tried to screw up the shot with the ramrod.

John Taylor examined.—I acted as a special constable in Queen-square, on 31st October, and helped to disperse the mob to the Back ; there was a considerable mob there ; a pistol was fired from the mob, about 8 o'clock : it was fired either at the constables or the dragoons.

James Onion.—I was in the Square from about 4 to 9 in the morning of 31st Oct. : it was dangerous for a constable to be alone at that time ; parties of rioters continued in the Square till I left.

Valentine Hellicar.—I am a merchant ; I occupied a house in Queen-square ; it was not burnt ; I was in the square on Monday morning till 7 or 8 ; was present when the 14th charged in Queen-square about 10 o'clock ; the Square was in a state of riot ; about 1000 or 1500 persons were scattered about in the Square in detached parties, as they had been all the morning.

W. H. Land.—I am a ship broker ; on the morning of 31st October was a special constable ; I was in Mr. Lewis's party trying to disperse the rioters ; he left the party a short time ; while he was separated I heard the report of a pistol ; I was in the Square near the avenue ; I went to the avenue directly ; saw a crowd of persons, and Capt. Lewis on the ground, surrounded by ten or twenty men ; continued in sight of him till he went away home ; I did not see him attempt to reload his pistol.

Richard Lowe, surgeon, examined.—On Wednesday evening (Nov. 2,) I was called to attend Capt. Lewis ; he had received a severe contusion on the left temple, involving the eye ; and I found the mark of a severe blow on the right arm, obliquely above the elbow.

Cross-examined.—The blow on the arm might have been by any thing which would contuse ; the contusion extended three or four inches.

Mr. CAMPBELL then called the following witnesses to character :

Arthur Palmer, Esq. solicitor, examined.—Had been intimately acquainted with Capt. Lewis from his youth, except when engaged in foreign service ; has been particularly ac-

quainted with him for the last 15 years ; " I," (said the witness) " pride myself on his acquaintance ; he is a man of honour and integrity, & incapable of doing an act of inhumanity or malice."

Richard Humphrey, Esq. examined.—I was surgeon to the regiment in which Capt. Lewis served ; I have known him 25 years ; as an officer and a gentleman he was respected by the regiment, and was considered by his troop as a very humane man.

Dr. Griffith examined.—I am a physician ; have known Capt. Lewis 15 or 20 years ; I consider him a man of strict honour and integrity—of humane and charitable disposition ; this is the character I have always heard of him.

Rev. Thos. Griffiths examined.—I have known Capt. Lewis 12 or 13 years, during which he has had the very best character for peaceable demeanour.

George Kiddle, Esq. examined.—I am retired from business ; I have known him from childhood ; as good a man as can be ; he is charitable and humane.

William Bushell, Esq. examined.—I have known him many years intimately ; no character could be better ; I have always been proud of his acquaintance.

Wm. Wright, Esq. examined.—I am a wine merchant ; have known him nine or ten years ; I should say he was a generous, openhearted, kind man.

R. L. Pearsall, Esq. barrister, examined.—I have resided in this neighbourhood a great many years ; have been acquainted with Capt. Lewis ever since I was a boy ; and since I have grown up, I have had the honour and benefit of his friendship ; he has always had the character of a perfectly kind, openhearted, and humane man.

After reciting the various provisions of the Acts bearing on the case, and stating the leading facts of the evidence, the Learned Judge left it to the Jury to say, whether in their opinion Captain Lewis had been guilty of culpable negligence in the employment of fire arms, which would make the death of the boy, or any other person, either by accident or otherwise, an illegal act, or whether under the circumstances he was justified in their use. The Learned Judge said he would, if the Jury wished it, read through the whole of the evidence.

The Jury said it was not necessary ; they had paid the greatest attention to the evidence, and had come to their decision.—They then returned a verdict of *Not Guilty*. A strong demonstration of applause was made in the Court, which could not be immediately checked by the officers. Capt. Lewis retired from the bar, amidst the warmest congratulations of his friends.

The Learned Judge said that he felt happy in stating that Captain Lewis was discharged without the slightest imputation upon him, but that on the contrary he appeared to have done his duty in a manner which reflected great credit upon him.

The business of the Special Commission was brought to a close on Saturday, 14th January, having occupied twelve days.

## EXECUTION OF FOUR OF THE RIOTERS.

On Friday, the 27th January, Davis, Clarke, Gregory, and Kayes, suffered the extreme penalty of the law, at the usual place of execution, over the Gaol entrance. Vines's sentence was commuted to perpetual banishment.

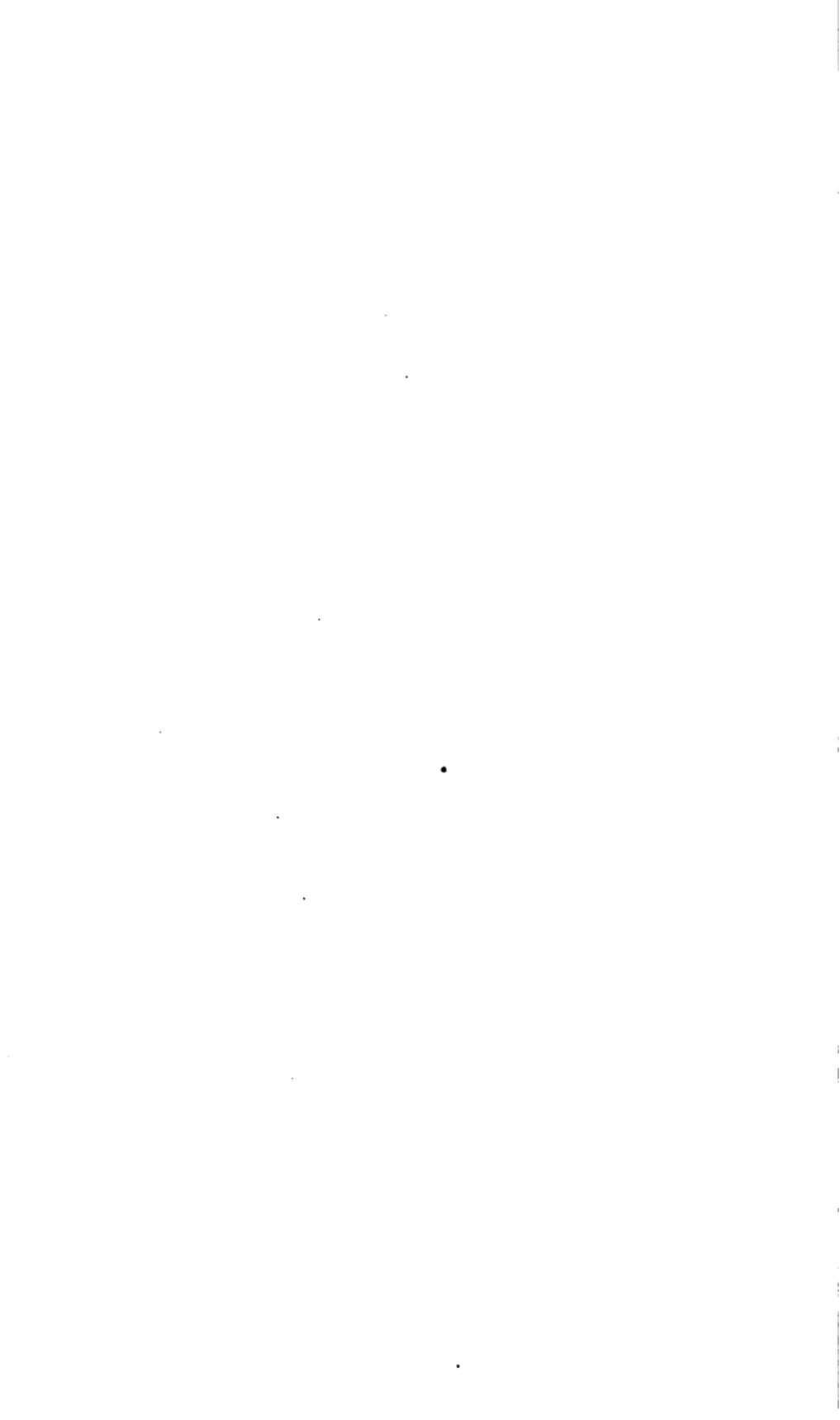
Christopher Davis was a man of superior station in society to the other prisoners, possessing an independence, it is said, of £300. a-year; therefore his encouragement to the mob by his gesticulations and violent harangues, was highly dangerous and inflammatory. He has accustomed himself for years past to use the same kind of language whenever occasion presented for a display of his political leaning, which unfortunately too often occurred, and as it seems was diligently sought after, until at length it brought him to an ignominious death. After the accession of Earl Grey's Ministry to power, and the introduction of the Reform Bill, his party violence evidently increased, and he lost no opportunity to decry the Bishops, the Established religion of the country, the Anti-Reformers, and in fact every individual or establishment which he conceived to stand in the way of a sweeping change in the public affairs of this kingdom. His participation in the riotous proceedings was confined to exciting language and gestures, at various scenes of outrage; but it is evident that though he abstained from actual personal assistance in the demolition of buildings and property, his conduct was equally criminal with that of the more active.

Wm. Clarke resided at Bedminster, and worked as a sawyer. It did not appear that he had any share in the riotous proceedings on the Saturday; but having joined the mob on the Sunday, he took a prominent part in the destruction of the Gaol and Bridewell, the keys of which he exultingly displayed in his after progress, particularly when returning from the destruction of Lawford's Gate prison, in which also he was actively engaged. In various parts of the city, this man, who was very athletic in his person, led on the rioters, armed with an iron bar, and using language of the most violent kind.

Thomas Gregory (a labourer) was proved to have aided in burning and destroying the house of Mr. Strong, in Queen-square, and of having been most active and daring in other scenes of devastation.

Joseph Kayes (a labourer) was convicted of similar enormities, and assisting in the destruction of the house of Mr. Chas. Bull, in Queen-square.

On the day of the execution, the city was well protected by the military and civil power, and no disposition to outrage was manifested in any quarter.



**COURT-MARTIAL**  
**ON LIEUTENANT-COLONEL BRERETON**  
**AT THE MERCHANTS'-HALL.**

*First Day.—Monday, January 9th, 1832.*

At Eleven o'clock, the Members of the Court took their places in the following order:—

*Head of the Table:*

THE PRESIDENT—Lieutenant-General Sir HENRY FANE.

*Right hand side of the Table.*

1. Major-General Lord BURGHERSH.	1. Major-General R. ELICE.
2. Major-General Sir JOHN ROSS.	2. Major-General Sir CHAS. BRUCE.
3. Colonel LYON, 2d life guards.	3. Colonel WARBURTON, 8th foot.
4. Colonel DUFFY, Unattached.	4. Col. LAMBERT, grenadier guards.
5. Colonel ARNOLD.	5. Colonel FORSTER, artillery.
6. Lieut.-Colonel KEYT, 84th foot.	6. Lieut.-Col. GREY, 2d drag. guards
7. Lt.-Col. CHATTERTON, 4th dr. guards	7. Lieut.-Col. CLARKE, 5th ditto.

*Left hand side of the Table.*

Colonel Brereton being in attendance, the King's Warrant for holding the Court-Martial was read by Captain THOMPSON, 81st regiment, the Acting Deputy Judge Advocate. The Prisoner's Professional Advisers were, MR. HURLE, Barrister, and MR. T. M. EVANS, Solicitor.

The list of Officers composing the Court was next read to the prisoner, who made no objection to them. The President and the other Members of the Court were then sworn.

Sir H. FANE, the President, addressed the Officers composing the Court, entreating them to discard from their minds any prejudicial feeling towards the prisoner which they might have entertained.

The several charges were read by the Deputy Judge Advocate; to the whole of which Lieut.-Col. Brereton pleaded Not Guilty.

The Deputy Judge Advocate then read the list of evidence for the prosecution, and a letter from Colonel Brereton, containing his list of witnesses.

## CHARGES AGAINST THE PRISONER.

1. For that he, Lieut.-Col. Brereton, having on 29th Oct. 1831, and on the two following days, the command of the troops in the city of Bristol, with directions (duly authorised) to be in communication with the Magistrates of the city, and to arrange with them for the disposal of the said troops in the event of the services of the troops being required; and great disturbance and riot prevailing in the said city on the said 29th of Oct. by reason whereof the said troops were, in the afternoon of that day, called out by the Magistrates of the city, and the riot act having been repeatedly read, the said Lieut.-Colonel was several times, during the evening, directed by the said Magistrates to use force for the dispersion of the rioters, and the restoration or maintenance of the public peace; nevertheless he, the said Lieut.-Col. Brereton, did not act with any vigour or effect in execution of such directions of the said Magistrates, but for the most part declined or neglected to comply with the same, and conducted himself in a feeble and temporizing manner, calculated only to encourage the rioters in their violent proceedings.

2. For that on Sunday, 30th Oct., when the Magistrates for Bristol had required the attendance of troops in Queen-square, to save the Mansion-house, which was violently attacked by a large body of rioters, and when, in consequence of such requisition, one troop of the 3rd dragoon guards, and one troop of the 14th light dragoons, were, some time in the forenoon of the day, assembled in Queen-square under the personal command of him, Lieut.-Col. Brereton, he, the said Lieut.-Col., shortly afterwards directed the said troop of the 14th light dragoons to withdraw to their quarters at Fisher's stables, adjoining to College-green, in the said city, on the plea that their presence only exasperated the populace, by which proceeding the said Lieut.-Colonel improperly weakened the force assembled as aforesaid in Queen-square; and for that afterwards, about noon of the same day, the said Lieut.-Colonel ordered the whole of the squadron of the 14th light dragoons, then quartered in the said city, including the troop so withdrawn from Queen-square as aforesaid, to move from Bristol to Keynsham, a distance of about five miles, contrary to the declared wishes and opinions of the said Magistrates, and in violation of the duty wherewith he was intrusted, of guarding the peace of the city: the said city being then in so disturbed and riotous a state that the whole of the troops ought to have been stationed where their services might have been made available at the shortest notice.

3. For that he, Lieut.-Col. Brereton, stated to the said Magistrates, or some of them, as a reason for moving the said squadron as aforesaid from Bristol to Keynsham, on the said Sunday, that the men and horses of the said squadron were in so jaded and exhausted a state that they were equal to little or no exertion (or words to that effect), whereas both the said

men and horses were at the time of their removal as aforesaid in an efficient state, and fit for any duty that might be required of them.

4. For that he, Lieut.-Col. Brereton, in the afternoon of the said Sunday, repeatedly refused, in positive terms, to comply with the directions and entreaties of the said Magistrates, requiring him to recall the said squadron from Keynsham, and to employ the troops under his command to check the tumult and riot in the said city, which were then increasing in an alarming manner, several of the public buildings having been attacked and broken into by the rioters, with every prospect of a still further extension of outrage, and of a wide destruction of houses and property.

5. For that, about four o'clock in the afternoon of the said Sunday, when the rioters, after having broken into the bridewell of the said city, and released the prisoners therein, and set the bridewell on fire, were proceeding, as it appeared, to the city gaol, to attack and break into the same; and when the said Magistrates peremptorily required him, Lieut.-Col. Brereton, to employ the force under his command in protecting the said gaol, and putting down the rioters (or to that effect), he, the said Lieut.-Colonel, refused or declined complying with such requisitions; and the said Lieut.-Colonel, although he afterwards sent a detachment of the 3d dragoon guards to the said gaol, did, however, give positive orders to Cornet Kelson, commanding the same, on no account whatever to use force; and that he was only to go to the gaol, and come back (or words to that effect). In conformity with which orders the said detachment proceeded to the front of the said gaol, and returned therefrom immediately, without having otherwise interrupted or interfered with the rioters, and this notwithstanding that, when the said detachment arrived at the said gaol, the rioters had broken into the same, and had released, and were releasing, the prisoners; and were also preparing to set fire to the governor's house within the said gaol, which house was in fact fired and destroyed by the rioters, shortly after the departure of the said detachment from the front of the said gaol.

6. For that, about seven or eight o'clock in the evening of the said Sunday, when the Bishop's palace in Bristol had been attacked by the rioters, and the Magistrates had thereupon required the attendance of the troops to save the said palace; and that when, after the said rioters had broken in the gates of the palace-court, and had also forced the main door of the palace itself, he, Lieut.-Colonel Brereton, with a detachment of the 3d dragoons guards, under his immediate and personal command, entered the said palace-court, and formed such detachment within the same; nevertheless he, the said Lieut.-Colonel, remained in the said palace-court wholly inactive, with the said detachment, during the commission of various acts of outrage by the rioters, under his own eyes, he, the said Lieut.-Colonel, refusing or omitting to comply with the application of certain

of the Bishop's servants, as well as of certain constables and other persons there present, to afford them assistance, in order to check the outrages of the rioters, and to save the said palace, and the property therein contained; and on the contrary thereof, he, the said Lieut.-Colonel, gave most peremptory orders to the said detachment not to use any violence to the rioters, or to that effect, and passively permitted certain of the rioters returning out of the said palace, laden with plunder, to escape, and at the same time released, or caused to be released, certain of the said rioters who had been apprehended in or about the said palace, in the act of committing outrages, or carrying off plunder, and whom the persons apprehending them had consigned or offered to consign to the custody of the said detachment.

7. For that he, Lieut.-Colonel Brereton, about the hour of eight or nine o'clock on the said Sunday evening, at a time when the Mansion-house of the city was in flames, and when he, the said Lieut.-Colonel, was in the immediate and personal command of a detachment of the 3d dragoon guards formed in Queen-square, in which square the Mansion-house then stood, did, nevertheless, make no attempt whatever to arrest the progress of such fire, nor did he give any order or make any provision with the said detachment of dragoon guards to prevent the committing of further outrages, or the firing of other houses and buildings by the rioters; but, on the contrary thereof, after remaining near the said Mansion-house about ten minutes, he, the said Lieut.-Col. marched off with the said detachment, or with the greater part thereof, which he ordered to return to its quarters, thereby leaving, throughout the whole evening and night, Queen-square aforesaid, and its inhabitants, unprotected and entirely under the dominion of the rioters; in consequence whereof the houses and buildings composing two entire sides of the said square, including the Mansion-house, the Custom-house, and the Excise-office, in the course of the said night were set on fire by the rioters, and reduced to ashes.

8. For that he, Lieut.-Colonel Brereton, on the arrival in Bristol of the Dodington troop of Yeomanry Cavalry, under the command of Capt. Codrington, about eleven o'clock on the said Sunday evening, which arrival was reported to the said Lieut.-Colonel by the said Captain in person, neglected or omitted to avail himself (as in his capacity of commanding officer of the troops in Bristol it was his duty to do) of the services of the said troop of Yeomanry Cavalry, or even to give any distinct or sufficient orders for retaining the same in the city, although numerous houses and buildings in different parts of the city were then on fire, and although further conflagrations were threatened and expected.

9. For that he, Lieut.-Col. Brereton, having received from the Mayor of Bristol a certain letter, dated twelve o'clock, Sunday night, Oct. 30, to the following effect, that he, the said Lieut.-Colonel, was to consider himself fully authorized to take whatever steps and to give whatever orders he, as the

military commander of the troops in the said city, might think fit to restore and preserve as far as possible the public peace, did nevertheless, for the space of nearly four hours after he had received the said letter, which was soon after the date thereof, neglect to take any steps, or to give any orders to, or make any attempt whatever, with the troops under his command, for the purposes in the said letter mentioned; but, on the contrary thereof, he, the said Lieut.-Colonel, retired to his bed, and remained there for several hours together during the night of the said Sunday, the 30th, or morning of Monday, the 31st Oct. at a time when the rioters, without check or controul, were committing acts of gross outrage, tumult, and destruction, in various parts of the said city.

10. For that he, Lieut.-Col. Brereton, when he was afterwards, about four o'clock in the morning of Monday, 31st Oct. called out of bed by a Magistrate of the said city, and desired by him to march troops instantly to Queen-square, which was in danger of being entirely destroyed by fire, manifested great reluctance to comply with such desire, he, the said Lieut.-Colonel, stating that the troops would be of no use, for that the horses would not stand such a fire, or other words to that effect.

11. For that he, Lieut.-Col. Brereton, at various times, and on various occasions during the said 29th, 30th, and 31st Oct. when it was his duty to resist and put down the rioters, weakly yielded to or temporized with them, frequently shaking hands with them, addressing them familiarly, and even using to them language which reflected on the conduct of a portion of the troops under his command, and which was calculated to add to the irritation of the rioters, and at the same time to augment their confidence in their own strength and power.

Such conduct as aforesaid, on the part of the said Lieut.-Col. Brereton, evincing great want of the vigour and decision requisite for the duties in which he was engaged, being highly disgraceful to his character as an officer, and prejudicial to good order and military discipline, and tending to destroy the confidence of the troops in their officers, and to reflect dishonour on his Majesty's service.

Major-General Sir CHARLES DALBIAC, the Prosecutor, then read the following

#### ADDRESS TO THE COURT.

“ Mr. President, and the Members of this Honorable Court,—I appear before you, at the suit of the King, as the Prosecutor of Lieutenant-Colonel Brereton, the prisoner at your bar.

“ It is unnecessary that I should occupy the time of the Court in expatiating on the nature of the charges here preferred against Lieut.-Col. Brereton. I shall therefore content myself for the present by observing, that

amongst those charges there are some which carry on the face of them a character of culpability such as I do verily believe to be altogether unprecedented and unheard of in the case of a British Officer. Neither is it necessary that I should detain the Court at any length by observations as to the great objects or the vast importance of this trial. The Bristol Riots, with their disgraceful consequences, have formed a theme for discussion in every public print, and in every private society throughout the kingdom. The subject has been canvassed by all ranks and by all parties; some ascribing the consequences to one cause, some to another. There are those who would affix the greater blame to the civil authorities; there are those who insist that blame attaches exclusively to the military. On one point alone all are agreed, namely, that in some quarter or other culpability is unquestionable. These conflicting opinions, as to the due apportionment of blame, combined with the vast importance of the subject, as generally considered, have powerfully fixed the attention of the public, no less than of the army, on the proceedings of the Court here assembled. The intensity of interest excited, with respect to this trial, is such as has rarely been equalled in matters submitted to the cognizance and the decision of a military tribunal; and this interest has been greatly kept alive by another remarkable circumstance. Never, I believe, was there a case of which the leading facts and circumstances (I speak as connected with the military,) were, after a considerable lapse of time, less perfectly known, or less distinctly understood; and yet never, most certainly, was there a case in which the public had a more just demand for the fullest and most authentic information.

"I would further illustrate the importance of this trial by observing, that it must inevitably bring before the Court a variety of matter which incidentally involves some questions of deep and vital importance: I mean questions as to a due and salutary co-operation between the civil and the military powers of these kingdoms, upon all occasions of public outrage and disturbance which may be sufficiently serious to require the assistance of the military arm. Questions of this nature cannot fail perpetually to present themselves to the

Court during the details which this trial must disclose ; and questions more truly momentous cannot easily be imagined. They relate most intimately to the moral and professional duties of a soldier. They affect the personal safety of the subject, and the security of all property, public and private. They touch in short, more or less closely, upon almost every interest that is dear to an enlightened and a civilized community. Nor can the consideration of such questions, so far as the same may be connected with the case of the prisoner, and to an extent compatible with the functions of a military tribunal, be deemed by this Court to be matter of light importance.

“ Up to the present moment, it may be said that the Bristol Riots, as influenced by the operations of his Majesty’s troops, have been left without public investigation. The conduct pursued on that disastrous occasion by the Officer who has now to answer before you has indeed been submitted to a preliminary Enquiry, before a Court of which I had the honour to be President. The functions of such a Court, however, in cases like that of the prisoner, bear a close resemblance to a Grand Jury ;—its proceedings are private ; the object of it being solely to ascertain whether there exist fair and sufficient grounds for exposing the party under imputation to the disgrace and anxiety of a public trial.

“ It is proper I should apprise the Court that the trial about to commence will impose upon them no ordinary weight of labour and anxiety. The evidence to be produced will unavoidably be considerable ; more so, however, by the number of witnesses to be examined, than by the body of their evidence ; and no efforts of mine shall be spared to lighten and simplify the task, by reducing that evidence into a form as concise as may be consistent with a perspicuous exhibition of the merits of the case.

“ It is further needful for me to remind the Court, that a large portion of the testimony to be produced will relate to facts and circumstances which occurred during three days and two nights of extreme and almost incessant disorder and alarm. Occasional discrepancies in that testimony, as far as relates to questions of time, and certain other subordinate matters, must consequently be

expected. I anticipate no difficulty, however, in reconciling these variations as to every essential point. Nor do I entertain the faintest apprehension that the general tenor of the evidence upon any one of the charges can be at all invalidated by such slight and comparatively unimportant disagreements.

"It would be highly presumptuous in me to impress upon such a Court as this that their clear and simple line of duty is to pronounce their judgment solely upon the evidence which shall be produced. Duly however to estimate the bearings of that evidence upon the weighty charges preferred against the prisoner, and patiently to arrive at just conclusions, through a long course of investigation, often of a character extremely delicate, will be found by the Court to form a task unusually arduous. And if this should be felt by the Court collectively, composed, as I observe it to be throughout, of Officers distinguished by their rank, and of acknowledged judgment and experience in the service, how must it be felt by the individual who has to sustain the painful duty of conducting the prosecution? Most ardently indeed could I have desired that this office might have fallen upon strength more duly proportioned to its weight and difficulty. So very unconscious do I feel of the powers which are demanded for the adequate discharge of so heavy a responsibility, that I have at times considered whether his Majesty's service might not have been benefitted had I solicited an exemption from the burden: from such solicitation, however, I have been withheld, by the principle which has uniformly prompted me through a long professional life; and that principle is, never to shrink from any duty which the King may graciously think proper to impose upon me, but to devote to the execution of it the best of my humble abilities. I am deeply sensible, however, that upon this occasion my deficiencies may partially defeat the ends of justice—that through want of skill I may possibly fail to press home upon the prisoner the full force of the evidence produced against him; and thus in effect may relieve him of a portion of the culpability which attaches to the misconduct imputed to him; and if this should be so, I have only to beg that the failure may be ascribed

exclusively to the want of powers in the prosecutor ;—to any thing rather than a want of zeal for the service of his Majesty, or for the honour of the British army. Such indulgence I confidently expect from this Court, and still more confidently from the wonted clemency of our most gracious Monarch.

“ There is one circumstance in the present case from which my mind has derived almost unspeakable relief—a circumstance which rarely befalls the prosecutor in a trial by General Court Martial :—it is, that I enter this Court without the slightest tinge of personal prejudice or of partiality towards the prisoner at your bar. The task imposed upon me of conducting the prosecution in this trial has entirely resulted from my having been the President of the Court of Enquiry which assembled within this Hall on the 17th of November last. To me Lieut.-Colonel Brereton was unknown previous to that occasion ; and from the moment when I was honoured with the commands of General Lord Hill, to sit as President of that Court, I scrupulously withdrew my attention from every recital of circumstances connected with the Bristol Riots which tended to reflect on Lieut.-Col. Brereton, whether such recital were to be derived from private conversation or from the public prints. My impressions and conclusions respecting his conduct have been drawn exclusively from the evidence produced before that Court of Enquiry ; to the whole of which evidence Lieut.-Col. Brereton, and his friend, Major Ellard, were admitted ; and it is no light satisfaction to reflect, that the prisoner has had the benefit of being in possession of the substance and the nature of that evidence, from the time that the Court of Enquiry closed its proceedings, up to the period of assembly of this more important Tribunal.

“ I feel assured, moreover, that Lieut.-Col. Brereton and Major Ellard will do me the justice to remember, that in the examination, by the Court of Enquiry, of some of the early and most important witnesses (I mean the leading members of the Municipal Authorities of this city,) I took all the pains, consistent with my situation, to ascertain whether Lieut.-Colonel Brereton had received all the assistance, and support, and co-operation, from the Civil Authorities, which, under the emergencies

that presented themselves during the Riots in this city, he, as the Commanding Officer of his Majesty's troops, had so great a right to expect.

“ Having premised thus much, I shall now proceed with a brief outline of the events which took place during the Bristol Riots on the 29th, 30th, and 31st October, so far as those events were in any wise influenced by the disposition or the operations of his Majesty's troops, under the command of Lieut.-Col. Brereton : this outline is submitted with a view to connect, for the information of the Court, the general chain of circumstances, to which the several charges preferred against Lieut.-Col. Brereton have reference. It has been drawn with a scrupulous assiduity for the preservation of truth, from the most unprejudiced and impartial view of the testimony produced before the late Court of Enquiry, and my chief care has been to introduce no statement or expression reflecting upon the conduct of Lieut.-Col. Brereton, that I do not feel prepared to substantiate by the most full and satisfactory evidence.

“ The Session for the Gaol Delivery of the city of Bristol had been fixed for the 29th October, and the Municipal Authorities, being apprehensive that disturbances might arise upon that occasion, had caused a solicitation to be addressed to the Secretary of State, for a military force to be sent to Bristol in aid of the civil power, for the preservation of the public peace. Accordingly one troop of the 3rd dragoon guards, and two troops of the 14th light dragoons, were placed at the disposal of the Civil Authorities ; and these troops having arrived within the city at an early hour on the 29th Oct. had quarters assigned to them about five o'clock, p. m. at two extensive livery stables,—one called the Horse Bazaar, kept by Mr. Leigh—the other called the Horse Repository, kept by Mr. Fisher. These livery stables are contiguous to each other, in the immediate vicinity and on the north side of College-green : on the opposite side of the Green is the Office of the Recruiting District, where was fixed the alarm-post, and the back of which office looks upon the court of the Bishop's Palace : at the north-east angle of the Green is Unity-street, in which street, at No. 2, (the residence of the District Adjutant) Lieut.-Col. Brereton

took up his quarters during the 29th, 30th, and 31st of October. I have been particular as to these localities, because I deem it essential for the Court to understand that the quarters of Lieut.-Col. Brereton and the District Office, where was fixed the alarm-post, and the stations of the troops, were within easy distance of each other. To describe these localities with still greater relative precision, it may be said that the three points stand as a triangle, each point about 200 yards apart.

“The Recorder made his entry into Bristol in the forenoon of 29th October. A considerable concourse of people assembled for the occasion ;—tumult soon commenced, and continued to increase through the day. Towards five or six o’clock in the evening, the Mansion-house was furiously attacked by the mob, and the Civil Authorities therein assembled, being very seriously threatened, it became necessary to call out the military, and to read the Riot Act. The troops formed quickly upon the alarm post ; and here I beg to draw the particular attention of the Court to the circumstance that the troop of the 3d dragoon guards and the troop of the 14th light dragoons, which first arrived on the alarm-post, were severally ordered by Lieut.-Col. Brereton to load ; the troops loaded accordingly, and thus received an impression, that if required to act, fire-arms were of course to be employed.

“Lieut.-Col. Brereton, with the troops, soon arrived in front of the Mansion-house in Queen-square ; he was then informed by the Civil Authorities of the violent proceedings of the mob. He there witnessed the effects of those proceedings upon the Mansion-house ; he was told that the proclamation prescribed by the Riot Act had been made ; he was directed by the Civil Authorities to clear the streets and to disperse the mob. Instead of carrying these directions into prompt and effectual execution, as became his duty to do, Lieut.-Colonel Brereton ordered the troops to “ride through” and to “walk away” the rioters. The 14th light dragoons for a time had not even their swords drawn. The conduct of the rioters became more and more audacious and turbulent. Brickbats, stones, and other missiles continued to be levelled at the troops, the constables, and the Mansion-house ; three of the 14th light dragoons,

and two or three constables, were carried into the Mansion-house, more or less severely wounded. One troop of the 14th light dragoons (the other troops having retired to refresh and feed) had been ordered to "charge;" this was about eleven at night, and the troop of the 14th then drew swords for the first time, but the order to repel by force was given by Lieut.-Colonel Brereton in terms too equivocal to be clearly understood, or to be strictly adhered to ; the order was "to use the flat of the swords as *much as possible*, and not to proceed to extremities till absolutely necessary;" and even this qualified order to repel by force was shortly rescinded ; and subsequently, when that troop received considerable annoyance from numbers of the rioters, who had taken refuge in barges, and in places under cover, where the troop could not reach them, or make any return but by means of fire-arms, to their incessant peltings, Lieut.-Col. Brereton gave the most peremptory order to the troop not to fire. Between eleven and twelve o'clock (on the same night, Saturday,) Captain Gage's troop of the 14th dragoons, which had previously retired to feed, returned to Queen-square, and was shortly after dispatched to Corn-street, with orders to disperse a mob which had commenced a furious attack upon the Council-house. Capt. Gage, being upon that occasion left to his own discretion, obeyed the order which he had received, as became an officer in his Majesty's service. The rioters were promptly and effectually dispersed ; and the Council-house, a noble structure in the very heart of the city, was thus preserved from destruction. This circumstance forms, in my humble judgment, a most important feature in the Bristol riots. The rioters, foiled in their attempts on the Council-house, resolved to wreak their revenge upon the soldiers who had despoiled them of their prey ; they accordingly retired into the narrow passages and alleys, whence they kept up a constant shower of stones and pieces of cut iron, and other missiles, upon the troop, as it continued to discharge its duty by patrolling up and down the streets, for the maintenance of the public peace. From out of one of these alleys in Wine-street, whence the dragoons had been exposed to very great annoyance, a person was seen to issue as the troop was about to pass,

a second time, when having advanced nearly up to, and having commenced to throw stones and other missiles as before, at the persons marching in front of the troop, some of which missiles struck the shutters on the opposite side of the street, a dragoon fired at the man, and brought him to the ground; which had the effect of clearing every passage and alley in Wine-street. This circumstance has been laid hold of as the sole cause of the exasperation of the rioters against the 14th dragoons; but the real truth is, the exasperation of the rioters against that corps, originated in the circumstance of their having been disturbed by the 14th dragoons in their attack upon the Council-house; indeed there cannot exist a doubt, but that for the timely interposition of Capt. Gage's troop, the work of pillage and of incendiaryism would have commenced with that building. For what *other* possible purpose but pillage and demolition could an attack have been directed at that period against the Council-house, when (as is well known,) the cause of the excitement, on the part of the rioters, lay in a different quarter of the city, and when the objects of their irritation were all assembled within the Mansion-house? In the course of that night (Saturday) and the day following, Lieut.-Col. Brereton, whilst in the personal command and in the presence of the troops (of the troop of the 3rd dragoon guards in particular) was repeatedly observed to mix himself with the mob, to shake hands with the rioters, to enter into other familiarities with them, and to admit familiarities on their part towards himself: he was moreover heard to address the rioters, both with respect to his own measures and sentiments, as well as to the conduct of the 14th dragoons, in language which no circumstances, in which an officer commanding his Majesty's troops may be placed, can ever justify towards a lawless and tumultuous assembly.

“Thus was pursued a temporising system on the part of Lieut.-Colonel Brereton towards the Bristol rioters, which forms the serious subject of the eleventh charge; the sure results of which system were but too fatally developed in the course of the following day and night, by the uncontrolled and outrageous excesses of the rioters, and by the disgraceful destruction of public and

of private property, whilst the efforts of his Majesty's troops were paralysed by a most ruinous and distorted principle of command. Towards two o'clock on Sunday morning, 30th Oct., a considerable portion of the mob had moved off, and there being every appearance of tranquillity, the troops retired to their quarters, with the exception of a picquet of the 3rd dragoon guards left at the Mansion-house, and a picquet of the 14th dragoons left at the Council-house; which picquets were relieved at due intervals, till between 7 or 8 o'clock in the morning (Sunday,) when Lieut.-Colonel Brereton ordered both picquets to return to their quarters.

" Queen-square being then left entirely without military protection, and nearly the whole of the constables having disappeared, the mob commenced a furious attack upon the Mansion-house; and the Mayor and other persons who were then within it, found it expedient to make their escape by the roof and over the roofs of other houses. The Riot Act was again read, the troops were again called into Queen-square, and Lieut.-Col. Brereton was peremptorily ordered by one of the Civil Authorities to disperse the mob, which order he, Lieut.-Col. Brereton, peremptorily resisted. The troop of the 3rd dragoon guards which had arrived first, was received by the mob with cheers; one troop of the 14th dragoons which followed, having formed alongside the 3rd dragoon guards, was received by the mob with hisses and execrations, and every opprobrious epithet, accompanied with threats of the most diabolical character. To these indignities was the troop of the 14th dragoons exposed for some time in the immediate presence of Lieut.-Col. Brereton, whilst certain of the mob advanced up to, and entered into familiarities with the Lieut.-Colonel. The conduct of the mob towards the 14th dragoons became however so outrageous, that Lieut.-Col. Brereton went up to Capt. Gage, who commanded the troop, and addressed him to the following effect:—" It appears that the whole of the disturbance at this period is caused by the presence of the 14th dragoons—you will be pleased, Sir, to take your troop home again immediately."

" No sooner was the troop put in march (in column of three,) than it was followed by the mob, hissing, abusing

and pelting the troop with brick-bats, stones, and other missiles. In Prince's-street the troop was compelled to put "threes about" and drive back the mob—but when the troop again retired, the mob faced about, and followed as before; and on arriving near College-green, the troop was so severely pelted, that Capt. Gage, who, with infinite judgment and propriety, marched in the rear, found it absolutely necessary to order "rear threes—present pistols!" The mob recoiled, and some of the inhabitants being then on their way to church, Capt. Gage ordered "recover arms!" This forbearance on the part of the troops only served to make the mob more daring and outrageous than before; and renewing their attacks with redoubled fury, up to the very heels of the horses, Capt. Gage ordered "rear threes!—present!—fire!" The rear threes, having given their fire, passed smartly to the front, and the next "rear threes" received in like manner "present—fire."

"Six, perhaps seven shots, were fired on this occasion—and it is believed, that one man was killed and two or three wounded. The troop reached its quarters without much further molestation.

"Soon after this, Lieut.-Col. Brereton being on his way from Queen-square towards College-green, encountered the mob which had pursued the troop of the 14th dragoons to its quarters. The rioters told their tale, and preferred their grievance to Lieut.-Col. Brereton, vowing at the same time the most brutal vengeance against the 14th dragoons, and threatening to destroy the whole city unless the squadron of that regiment was marched out of Bristol. It was with this body of rioters and their confederates that Lieut.-Col. Brereton thought fit to enter into terms, which compromised the honour of his Majesty's troops, the safety of the city of Bristol, and his own character as an officer.

"It was to gratify, or to conciliate this mob, to assuage their thirst for the blood of the 14th dragoons, that Lieut.-Colonel Brereton formed the fatal determination, and gave the fatal promise to remove the squadron of that regiment out of the city; he receiving the slender return of vows and protestations from a set of licentious miscreants, that all outrage and violence should terminate with the departure of the 14th dragoons. Lieut.-

Colonel Brereton most faithfully fulfilled his part of the contract ; the Court will shortly learn how the mob performed their part. Lieut.-Col. Brereton proceeded from the mob, by the way of the Mansion-house, to the Guildhall, accompanied by Captain Warrington, of the 3rd dragoon guards, to announce to the Civil Authorities his determination to move the squadron of the 14th dragoons from the city, and to endeavour to obtain their sanction to the measure. I shall leave to the evidence which will be produced before the Court in support of the second charge, to detail the discussion which took place between the Civil Authorities and Lieut.-Colonel Brereton ; merely observing in this place, that the alternate threats and promises of a licentious mob prevailed over the demands and entreaties of the Municipal Authorities.

“ The discussion at the Guildhall ended, Lieut.-Col. Brereton proceeded direct to the quarters of the 14th dragoons, in order to carry his determination into effect. This was about noon on Sunday, the 30th Oct. The evidence to be produced in support of that part of the second charge will detail the orders which were given on this occasion for the march of the squadron of the 14th dragoons to Keynsham, as well as the indecent and disgraceful manner in which that squadron was hurried from its quarters by Lieut.-Col. Brereton. The same evidence will speak as to the state and condition and efficacy of the men and horses of the 14th dragoons, when they marched out of Bristol.

“ The squadron was pursued from its quarters by a portion of the rioters, hissing and abusing, and pelting the troops as before ; and it was to this circumstance that gave rise to the report, (which the Court may remember to have observed in some of the public prints,) “ that the 14th dragoons had been driven out of the city of Bristol by the mob.” This foul and atrocious libel answered however all the purposes of the moment. It was the signal for the commencement of the work of demolition ! Some time after the squadron of the 14th dragoons had left the city, or towards two o’clock, Lieut.-Colonel Brereton was again in attendance at the Guildhall, where several of the citizens had assembled (at the requisition of the Mayor,) to consider of the best

means to restore the public peace, and prevent the further destruction of property. Some of the citizens present in the Guildhall expressed their willingness to act, but declined risking their lives unless supported by the military; and they impatiently demanded of the Town Clerk why the 14th dragoons had been marched away, and the city left defenceless on this occasion. Mr. Sergeant Ludlow, the Town-Clerk, addressed Lieut.-Col. Brereton, on the part and in the presence of the Civil Authorities, demanding of Lieut.-Col. Brereton, in their name, and in the most imperative terms, that the squadron of the 14th dragoons should be recalled, and the troops be immediately employed for the restoration of the public peace, and to preserve the city from destruction. The evidence to be produced in support of the fourth charge will prove to the Court, that every demand on the part of the Civil Authorities, for the recall of the 14th dragoons, and for the employment of the troops, was pertinaciously and most peremptorily resisted by Lieut.-Col. Brereton.

“ From this period, until five o’clock on the following morning (Monday, the 31st October,) the city of Bristol was left to the uncontrolled dominion and fury of the rioters. The house of correction was the first object of attack. The rioters carried it by force, and liberated the prisoners, and by two o’clock, p.m. it was in flames, no effort whatever having been made to prevent or to check this daring outrage.

“ Towards three o’clock, P.M. a very considerable mob proceeded to attack the new gaol, and on this occasion, a detachment of the 3rd dragoon guards was ordered out, under Cornet Kelson, but before this detachment marched from the alarm post in College-green, it received the most peremptory orders from Lieutenant-Colonel Brereton, as alleged in the fifth charge, that in any attempt to defend the gaol, the Dragoons were to use no violence whatever against the rioters. In obedience to these orders from Lieut.-Col. Brereton, the detachment of the 3rd Dragoon Guards proceeded to the gaol. It there halted in front of the building. His Majesty’s Dragoons—I speak it with shame—his Majesty’s Dragoons looked patiently on, whilst the rioters were busily and deeply engaged in their work of demo-

lition, the gaol gates having been already forced. The detachment remained for a minute or two in front of the gaol, and then turned back to Queen-square. The rioters liberated the prisoners from the gaol, to the number, I believe, of 150 or more, and then set fire to the governor's house. Such were the results of the orders given by Lieut.-Col. Brereton to Cornet Kelson, of the 3rd Dragoon Guards, who commanded that detachment. The toll-houses followed the New Gaol. They were set on fire about five o'clock. Next came the Bridewell at Lawford's Gate, which was fired at about half-past six, and soon after seven the flames began to ascend from the Mansion-house; to none of which firings was the slightest interruption attempted.

“ Between seven and eight o'clock P. M. on the same evening (the 30th) a mob was reported to be advancing towards the Bishop's palace. At that period, the Mayor and two or three other of the Civil Authorities were with Lieut.-Col. Brereton in the office of the recruiting district, in College-green, the back of which office (as before stated) looks upon the court of the Bishop's Palace.

“ Lieut.-Col. Brereton proceeded into the said court with a detachment of the 3rd Dragoon Guards. The evidence to be produced in support of the 6th charge will detail to the Court the unheard of manner in which the Dragoons, then under the personal command of Lieut.-Col. Brereton, were restricted from affording the slightest assistance to the constables and others to repress the outrages of the rioters at that most critical period, or to secure the prisoners which had been taken in the very act of plunder, or of outrage, within the Palace. After remaining for some time in the court of the Bishop's Palace, Lieut.-Col. Brereton marched off with the detachment of the 3rd Dragoon Guards to Queen-square, leaving the Palace to the protection of the constables. The mob returned with an accession of numbers, the constables fled, and in less than half an hour the Bishop's Palace was in flames. By the time Lieut.-Col. Brereton arrived with the detachment of the 3rd Dragoon Guards in Queen-square, the Mansion-house had been burning for more than an hour.

“ The evidence to be produced in support of the 7th

charge will prove that Lieut.-Colonel Brereton, after remaining ten minutes or a quarter of an hour in the Square, marched away with the whole of the detachment of the 3rd dragoon guards, from which time, then about half-past nine at night, until five the following morning, not a soldier was ordered to the Square, or the slightest effort made on the part of his Majesty's troops to check the disgraceful destruction of property which followed the firing of the Mansion-house. Between ten and eleven o'clock, P.M. Capt. Codrington, commanding the Dodington troop of Yeomanry Cavalry, reported in person to Lieut.-Col. Brereton the arrival of his troop in Bristol. The evidence to be produced in support of the eighth charge will prove that Lieut.-Col. Brereton neglected to give any distinct or positive orders to detain Captain Codrington's troop of Yeomanry Cavalry in the city, or to avail himself in any way of its services for the restoration of the public peace, and to prevent the further destruction of property. Capt. Codrington left College-green with his troop soon after eleven o'clock, returning through Bristol by the way that he had arrived.

"At this awful period of Sunday night, (that is, between eleven and twelve o'clock) at a time when the City of Bristol seemed to be threatened with total destruction, Lieut.-Col. Brereton thought fit to retire to his quarters, and to his bed !

"Soon after midnight Lieut.-Col. Brereton received a dispatch from the Mayor, dated Sunday night, twelve o'clock, requiring him, as commanding officer of the troops, 'to take whatever steps he might think fit to restore and preserve as far as possible the public peace.'

"Evidence will be produced, in support of the ninth charge, to show that the said requisition from the Mayor was utterly disregarded by Lieut.-Col. Brereton, who, instead of making the slightest effort to restore the public peace, and to prevent the further destruction of property, remained quietly in his bed, after the delivery to him of the said dispatch from the Mayor of Bristol, although at that very time the whole of Bristol might be said to be illuminated by the conflagrations which were vomiting forth uncontrolled in different quarters of the city !

" About half-past four o'clock on Monday morning, the 31st of October, Lieut.-Col. Brereton was roused from his bed by Mr. Alderman Camplin, who, in company with two other gentlemen, and Capt. Warrington of the 3rd Dragoon Guards, knocked up the Lieutenant-Colonel at No. 2, in Unity-street, requiring that military assistance should be dispatched as quickly as possible to Queen-square.

" I shall leave to Mr. Alderman Camplin, and to the two gentlemen who accompanied him, to substantiate the tenth charge, by detailing the conversation which took place upon that occasion between Mr. Alderman Camplin and Lieut.-Col. Brereton.

" The greater part of the troop of the 3rd Dragoon Guards having then turned out, Lieut.-Col. Brereton proceeded with it to Queen-square, which he reached as nearly as possible at five o'clock, A. M. By this time the north and west sides of Queen-square, (save an odd house or two, which appear to have escaped by miracle) were either in flames or reduced to ashes, and sacking and pillage were at their height. Indeed from the hour of seven o'clock on Sunday evening, when the Mansion-house was set on fire, the firing of other houses in Queen-square had been continuous through the whole night. The work of incendiarism had advanced in undisturbed and systematic progression, from the east end (where stood the Mansion-house) to the west end of the north side of the Square, and from the north end to the south end of the west side of the Square. In pursuance of this systematic progression, the rioters had commenced firing the house at the west end of the south side, and had attacked the house adjoining it, when Lieut.-Col. Brereton arrived with the detachment of the 3rd Dragoon Guards, at about five o'clock on Monday morning. It was on this occasion that the swords of the 3rd Dragoon Guards were first let loose; whether by a simultaneous and a generous impulse on the part of the Dragoons at beholding so vast and so iniquitous a destruction of property, or whether by the implied or the declared permission of Lieut.-Col. Brereton, I must leave the Court to consider, according to the evidence which will be produced. The mob was promptly and repeatedly charged and dispersed by the 3rd Dragoon

Guards, a good many persons being cut down ; and under the protection of the dragoons, some of the inhabitants were enabled to enter the end house on the south side of the Square, which had just been fired, and after driving out the rioters, to quench the flames. Knots and bands of rioters and plunderers continued, however, to lurk about Queen-square and the adjoining streets ; and their numbers having again increased towards six o'clock, it was thought advisable to charge and disperse them again, which was effected, as before, in the most prompt and decisive manner by the 3rd Dragoon Guards. Lieut.-Col. Brereton then sent for the squadron of the 14th Dragoons from Keynsham. It reached Queen-square about eight o'clock, where having remained about three quarters of an hour, and every thing appearing quiet, the squadron returned to its former quarters at Mr. Fisher's stables, near College-green.

" About seven o'clock on the same morning 31st Oct. Major Beckwith, of the 14th dragoons, arrived in Bristol with his Adjutant, having left Gloucester at three in the morning, and having first put in march another troop of the 14th dragoons from the latter place to join the squadron at Bristol, which troop reached the city in the course of the forenoon.

" I shall leave to Major Beckwith and to his Adjutant to relate for the Court's information the interview held by him with the civil authorities upon his first arrival, the report made of his arrival to Lieut.-Col. Brereton, and the operations of the squadron of the 14th dragoons subsequent to his placing himself at its head.

" Suffice it in this place to say, that the squadron of the 14th dragoons had not been long in its quarters before reports were received of outrages and disturbances having again occurred in different parts of the city. The troops were again ordered out. The rioters were charged and dispersed wherever they were found to assemble, and before mid-day, on the 31st, perfect tranquillity reigned throughout the city of Bristol. This was chiefly effected by that very squadron of the 14th dragoons, which exactly twenty-four hours before had been pronounced by Lieut.-Col. Brereton, and reported by him to the Municipal Authorities assembled in the Guildhall, to be utterly insufficient to restore the

public peace, or to offer any effectual check to the outrages of the rioters, or to the deplorable and disgraceful destruction of property which followed the removal of that squadron from the city. The tranquillity thus restored was never after interrupted.

“ Such is the outline which I venture to offer to the Court, of the movements and the operations of the troops, under the command of Lieut.-Col. Brereton, and of the events, consequent thereupon, which took place within the city of Bristol during those riots, which rendered the three last days of October so disgracefully memorable.

“ One word more, before I proceed to the fulfilment of the arduous duty that awaits me. It is not impossible that my anxiety to discharge that duty to the satisfaction of the King and of the service, may occasionally betray me into some appearance of unbecoming earnestness, both in the collection of evidence, and in pressing it home against the prisoner. Should this be so, I have to beseech of Lieut.-Col. Brereton, that he will ascribe my urgency to the right cause—a zealous devotion to the service of his Majesty, and a deep solicitude for the honor of our common profession. He will, I am satisfied, acquit me of any motive so unworthy, as a feeling of hostility towards himself, as an individual; and he will, I doubt not, credit my entire sincerity, when I say that there can be little but unmixed bitterness in the discharge of a duty, which tends to bring down punishment or dishonour upon the head of a fellow soldier.

“ It is further possible, that my want of legal knowledge may mislead me at times into some improper course. It may induce me to exaggerate the effect of the evidence against the prisoner, or it may suffer me to put questions, which are not altogether consistent with equity, or conformable to the practice of military tribunals. On this head, however, my anxiety is far from overpowering. I am happily surrounded by ample means for the protection of the prisoner, against the consequence of any errors or inadvertencies of mine. The Court itself is, in a certain sense, counsel for the prisoner. His Majesty’s Deputy Judge Advocate, an officer especially selected on account of the labours

which he has bestowed upon the subject of military trial, and of the credit which has attended his labours, is at hand, to check any departure from legal correctness of proceeding ; and the security of the prisoner against wrong is completed by the presence of his own professional adviser. It only remains for me, therefore, to give expression to my own sincere desire, that, whenever in the course of these proceedings, a doubtful point may arise relative to the admission or the effect of evidence, or any other matter, such doubt may never be turned to the disadvantage of the party accused ; but that, on the contrary, the decision of the Court, in all such instances may be, invariably, in favour of the prisoner.

“ I have now to submit to the Court the mode of proceeding with respect to evidence. The charges being numerous, and many of them being distinct in circumstance and in character, it appears desirable, not less for the sake of expedition than of perspicuity, that the charges should be dealt with *seriatim*, and in rotation, as they are severally preferred against the prisoner. I purpose, therefore, with the approval of the Court, to complete the evidence in support of one charge or more, as the case may be, before another charge shall be brought under consideration, and to announce to the Court from time to time, when the evidence against the named charge or charges shall have closed. In submitting this, however, as a general plan of proceeding, I do not mean to abandon the right of calling additional evidence in support of any particular charge or charges, which may appear to have been previously disposed of, in the event of any circumstance arising in the course of the prosecution, to render such additional evidence essential.

“ Should the mode of arranging the evidence which is here submitted, accord with the views of the Court, I will now proceed to the production of evidence.”

## EVIDENCE.

The first evidence handed in was documentary, consisting of eleven letters, either received by the prisoner or written by him to the different Authorities at the Horse Guards.

The first was a letter of the 24th October, dated from the Horse Guards, addressed to Colonel Brereton. It announced the arrival of three troops of dragoons at Keynsham and Clifton to obey the commands of the Magistrates of Bristol, and directed the Colonel to put himself in communication with them.

2d. A letter from Col. Brereton to the Quarter-Master-General of the Forces, dated 25th Oct. acknowledging receipt, and stating that he was in communication with the Magistrates.

3d. A copy of a letter, dated Horse Guards, 28th October, 1831, to Lieut.-Colonel Brereton, from Lord Fitzroy Somerset, Military Secretary to Lord Hill, desiring Colonel Brereton to report the next day if there was any disturbance of the public peace at Bristol, and the circumstances attending such disturbance.

4th. A letter from Colonel Brereton, dated Bristol, 29th of October, 1831, five o'clock, p. m., to Lord Fitzroy Somerset, acknowledging the former letter; and stating, that by desire of the Magistrates he brought the troops into town; that on the approach of Sir Chas. Wetherell there was some hissing; but that the mob was not so great as might have been expected; that about two o'clock some stones were thrown, on a prisoner being taken to gaol, but that no rescue was effected.

5th. Letter from prisoner of same date, half-past five o'clock p. m., addressed to Lord Willoughby Gordon, Quarter-Master-General—merely a repetition of the former letter to Lord Fitzroy Somerset.

6th. Copy of a letter from Colonel Brereton, dated Bristol district, Oct. 31, 1831, half-past 4, p. m., addressed to Lord Fitzroy Somerset. It stated in continuation, that on the preceding evening Sir Chas. Wetherell had left the city, which circumstance he (Lieut.-Col. B.) had made known to the mob; that the riot act had been read, and that the military observed great good temper; that they had been ordered to charge, but were only to use the flat of their swords, and were not to fire unless a great necessity existed; that about seven o'clock the Mayor again called for the assistance of the troops, and that they arrived in time to save the Mansion-house from being burned; that the mob afterwards became furious, and the 14th were obliged to fire, and one man was killed. That on Sunday morning the mob again assaulted, and the 14th again fired, killing one, and wounding three or four more; that it was

considered advisable to remove the 14th ; expressed fears that the night would not pass over quietly, and that a strong military force was absolutely necessary.

7th. Letter from Col. Brereton to Lord Fitzroy Somerset, dated Bristol, 31st October, 1831, stating, that after his last letter, the mob went to the work of devastation without the military being able to resist, and there being in fact no sufficient civil force. It then gave a list of the fires ; stated the 14th were ordered again in ; another troop on the march from Gloucester, and part of the Bedminster Yeomanry, had joined ; that Capt. Codrington's troop had come in about 12 o'clock the night before, but not finding a Magistrate on the spot, they had marched back again.

8th. A letter from Col. Brereton to Lord Fitzroy Somerset, dated Bristol, 1st Nov. 1831, with an enclosure signed " T. Pearsall, Major-General," addressed " my dear Colonel," and presumed to mean Lieut.-Colonel Brereton. The letter said that the removal of the 14th light dragoons was not on his own opinion merely. The enclosure was to the effect that he did not hesitate to say the continuance of that small force would have endangered the safety of the small body of troops, from the fury of the countless thousands of the citizens, and would also have made the loss of private property greater than it unfortunately was.

9th. A letter from Col. Brereton, dated Bristol, Nov. 2, 1831, to the Deputy-Adjutant-General, acknowledging the receipt of a letter of the day before, and stating that he had availed himself of the recruiting service, 60 in number, and 64 pensioners, who were stationed in the ruins of the city gaol.

10th. A copy of a letter from Lord Fitzroy Somerset to Col. Brereton, dated Horse Guards, Oct. 1831, stating receipt of prisoner's letters of the 29th and 30th of Oct., which were laid before Lord Melbourne, who ordered an accession of force. Lord Melbourne would not, without further evidence before him, observe further than that the removal of two-thirds of the small force at his disposal appeared highly imprudent.

11. A letter from Col. Brereton to Lord Fitzroy Somerset, dated Bristol, Nov. 3, 1831 : it was an answer to that paragraph relating to Lord Melbourne's disapproval of sending away the 14th dragoons. It went to defend the line of conduct so pursued, stating that his situation was unenviable, as he had an inadequate force, and no aid whatever from the Magistracy. This letter concluded by saying, that on Monday morning the mob were so broken and drunk that the services of the 14th could be used with advantage ; that this corps had not been removed without the sanction of the Magistrates ; and that he (Col. B.) had exerted himself day and night for the public welfare.

The first witness called was

*Mr. Sergeant LUDLOW, Town Clerk of Bristol, who was examined on the First Charge only.*

Were you personally known to Lieut.-Col. Brereton previously to the 29th of October last?—Not at all.

Were you at the Mansion-house on Saturday evening the 29th Oct. ?—I was there from 12 o'clock on Saturday noon, to 12 at night.

Were the troops called out, and by whom were they commanded?—They were called out, and I presume they were commanded by Col. Brereton.

Was proclamation made on that occasion, as prescribed by the Riot Act?—I cannot positively swear to that fact.

Did you hear or do you know of any order being given on that occasion to Lieut.-Col. Brereton to disperse the mob, and repel the tumult; if so, please to state it?—I know that orders were given to Colonel Brereton at the Mansion-house, almost immediately after his arrival, to disperse the mob, clear the streets, and obtain quiet as soon as possible.

In consequence of the orders given for this purpose, were the rioters effectually and promptly dispersed?—In my opinion, not so promptly and effectually as they might and ought to have been.

For how long a period did the riot, or tumult, or disturbance, continue after the time Lieut.-Col. Brereton received orders to disperse the rioters?—At intervals it continued up to the time I left the Mansion-house at twelve o'clock.

Be pleased to relate to the Court any further information you may possess arising from your personal knowledge or observation touching the conduct of Col. Brereton on that night with reference to the charge now under consideration?—When Col. Brereton and the troops came to the Mansion-house, the people on the outside were engaged in battering in the front door. They had battered in one of the windows on the ground floor, and some of them had entered into the dining-room. The immediate effect of the arrival of the troops was to remove them from the front of the Mansion-house; but they did not withdraw completely, for I repeatedly noticed that the people, having withdrawn from the streets while the soldiers were passing, returned again in front of the very door of the Mansion-house, immediately after the troops had passed. Stones were thrown at the windows, and the tumult did not appear to decrease. Col. B. occasionally went down stairs and returned. He said they appeared very good-humoured, and he had no doubt he could walk them away. Just before one of these occasions two of the 14th were brought in wounded very seriously. I asked the men if they thought the mob were good-humoured. They said no. I also asked if they did not appear increasing. They said they certainly were. I asked Colonel Brereton whether he had any secret instructions from the War-office that were at variance with the orders of the Magistrates.

I was led to ask this question in consequence of Col. Brereton's answers. I also asked him if he had any instructions from the Horse Guards or the Home Office. His answer was, "My instructions are to attend to the orders of the Magistrates." I then said, in the presence of the Mayor and several Aldermen, "Your instructions, Col. Brereton, are to clear the streets as soon as possible, and get the city quiet;" or words to that effect. Some sort of cavalry movement was made in the interior of the Square shortly afterwards, when the people were driven from the green part of the square into the courts of the houses on the sides, and occasionally returned again to the front of the Mansion-house. The same sort of conduct continued as prevailed during the early part of the evening. They were not effectually dispersed. About 11 o'clock an officer of the dragoons came into the room where we were sitting at the Mansion-house. Col. Brereton was in the room at the time. The officer stated the troops were receiving considerable annoyance in one of the streets near the Mansion-house, the situation of which he described. He said the lamps were put out, and the people, when followed by the soldiers, retreated into some boats or barges lying in the river, from which they annoyed the troops, and where, of course, the troops could not follow. He said they wished to fire a few ball cartridges. One of the Magistrates—I believe Mr. Alderman Daniel—said, in the situation the boats were described to be, there were probably a good many people there who worked in the boats, and it would be desirable to avoid injuring those persons. One of the gentlemen present, a special constable, said, "Let me have 25 men, and be supported by the troops; I will undertake to dislodge the people from the boats." This certainly would have been undertaken had it not been for what Col. Brereton immediately said. He said, "If you will take my advice you will let them alone. I dare say if they are not disturbed, and it is getting late, they will go home and go quietly to bed." Some observations were made as to obtaining peace and quietness, when Col. Brereton answered that "his men should patrol the streets during the night, and he would be answerable for the peace of the city." The officer then went away, and Col. Brereton followed shortly afterwards. What took place subsequently I cannot say.

When you gave, on behalf of the Civil Authorities, the orders of the Magistrates to clear the streets and disperse the mob, did Col. Brereton in any way dispute your authority?—Not in the least.

Were the rioters quite dispersed from Queen-square, or were the streets in the vicinity of Queen-square cleared at any one period from the time when the troops arrived in Queen-square on Saturday evening, the 29th October, up to the period of your leaving Queen-square on that night or following morning?—I should say that the square was in a great measure cleared at the time I left, and the people retired to the streets in the neighbourhood. I considered Col. Brereton would have kept the peace of the city, or I should not have left.

In answer to some question by the Court, Mr. Sergeant LUDLOW said he had been frequently in communication with Colonel Brereton, as the official organ of the Magistrates. Besides which, when orders were given, some of the Magistrates were always present.

The Court was then adjourned.

**SECOND DAY.—TUESDAY, January 10th, 1832.**

*Cross-examination of Mr. Sergeant LUDLOW.*

When you asked Col. Brereton if he had any instructions to prevent his acting under the Magistrates, did he not offer to obey any explicit orders they might give?—The only answer I can give is what I stated yesterday, that Col. B. said, “My directions are to obey the Magistrates’ orders;” and in the course of the evening Col. B. frequently said he was ready to obey the Magistrates’ orders; but at the same time he generally or always accompanied that with discouraging the use of force.

Did not Col. Brereton repeatedly request the Magistrates to give explicit orders as to the extent they required him to use force?—I think I recollect, upon some discussion taking place about firing, the Colonel said once or twice, “If I am to fire, I must have an explicit order.”

Did not the Magistrates consult about giving any explicit orders as to the force to be used, and avoid giving any explicit orders?—There was from time to time conversation between the Magistrates, myself, and Col. Brereton, with respect to the state of the tumult, and the measures necessary. I am not aware that any explicit order to fire was given in my presence in the course of that evening. Col. Brereton was frequently informed by the Magistrates of their desire to have the city restored to quiet, and that they looked to him to effect that object.

[Major-General DALBIAC here said, perhaps it might save the time of the Court to admit that late on the evening of the 29th Oct. Lieut.-Col. Brereton received orders from the Magistrates not to fire.]

Did not the Magistrates consult about the responsibility of ordering more force to be used, and decline taking that responsibility?—I am not aware of any consultation, nor of their having refused to take any responsibility.

Did not the rioters cease from all violence, except occasionally throwing stones, after the arrival of the military on the 29th Oct.?—They ceased from battering the door and windows of the Mansion-house with pieces of timber, which they were doing when the military arrived; the acts of violence of which I am enabled to speak are the breaking the windows from time to time, and the wounding of soldiers and constables whom I saw brought in that state.

*Re-examined by the PROSECUTOR.*

When directions were first given to Col. Brereton to disperse the rioters and clear the streets, was Col. Brereton restricted

from the use of fire-arms or the edge of the sword?—Those which I gave or heard given were altogether without such restriction.

Did any Magistrate in the course of the evening accompany Col. Brereton or the troops in the streets, to direct them in the suppression of the tumult?—I have no personal knowledge of that fact. The scene of action was close to the mansion-house where they all were.

Had the riot act been read at the time Col. Brereton requested authority from the Magistrates to use force?—I have no personal knowledge of the riot act having been read, but I saw some of the Magistrates go down stairs for the purpose of reading it before the military arrived. That part of the question respecting the asking permission to use force I do not understand.

Major-General DALBIAC stated to the Court, that after the first charge had been disposed of, he meant to submit that the 2nd, 3rd, and 4th charges, though they contained distinct accusations, were so blended in facts, that they might be united as to the receiving the evidence affecting them.

*CHARLES PINNER, Esq., Mayor of Bristol, examined.*

Was there a great riot and disturbance in the city of Bristol on Saturday, the 29th Oct.?—There was a great riot and disturbance in Queen-square.

Was the riot act read? If so, at what time, and by whom?—It was read about 5 in the afternoon by me I read it 3 or 4 times.

Did you make any application to Colonel Brereton, as commanding officer of the troops in this city, for the presence of the military in aid of the civil power?—I did.

At what period did the troops arrive in Queen-square?—About half an hour after the riot act was read.

What was the temper and conduct of the rioters at the time of the arrival of the troops?—The windows in front of the Mansion-house had been broken, and the people had entered the dining-room through them; the pannels of the door had been forced in, and the hall had been raked with stones and sticks; the mob were continuing the same conduct when the troops arrived.

When the troops arrived, or very soon after, did you give, or did other of the Civil Authorities give, Col. Brereton any directions for dispersion of the rioters? If so, be pleased to state as distinctly as you can what those orders were?—Orders were given by Alderman Fripp to clear the Square, or disperse the mob, or words to that effect; and on Col. Brereton's asking whether the troops should fire, he was told if it was necessary to fire he must fire, or words to that effect, which I confirmed.

Upon that particular occasion, or at any other period through the night, was Col. Brereton in any wise restricted by you or other of the Civil Authorities, from the application of the edge of the sword?—He was not restricted by me, and I am not aware he was restricted by any one.

Did Col. Brereton at any time on that evening or night protest against using actual force? And if so, what plea did he urge for abstaining from it?—He did protest at one period against using force; I don't recollect his exact expressions, but the general plea that he made use of was that they were a good-humoured mob—that the troops could either ride or walk them down, and that they were lessening in number. The Colonel came in at one period, and to shew the good temper of the mob, said that his arm was tired with shaking hands with the people. He said in my presence, “The responsibility is with you,” addressing the Magistrates and Town Clerk—“I protest against using force—it is unnecessary and contrary to my opinion;” or words to that effect.

Be pleased to relate any further information you may possess from your own knowledge or observation touching the conduct of Col. Brereton on that night, with reference to the charge now under consideration?—Col. Brereton repeatedly came in to report respecting the people, and we repeatedly gave him directions to clear the square. I cannot call to mind exactly the expressions or the answers, but I recollect the conduct of Col. Brereton occasioned the Town Clerk to ask him if he had any instructions from Government not to act, or words to that effect. He replied his orders were to obey the Magistrates. The Town Clerk then said the Magistrates ordered him to clear the square or get the streets quiet. It was on this occasion he made the protest. I recollect some soldiers being brought in wounded, and the Town Clerk making use of the expression “is this a proof of the quietness and good temper of the mob?” I recollect an officer coming into the room and saying the mob had taken refuge in the market, or trading vessels, and assailed the soldiers from thence, and they could not follow them, and asked if he might fire into the vessels, as it would be otherwise sacrificing the troops. I think it was Mr. Alderman Daniel observed there were many people on board the vessels, who would be sacrificed, and who had nothing to do with the mob. A gentleman present offered, with 25 constables, to go on board the vessels and clear them if he could be supported by the troops; this was not done, in consequence of Col. Brereton's stating that the mob was dispersing, and that he would patrol the streets, and be answerable for the peace of the city. In fact, the front of the mansion-house was not again attacked that night.

Were the rioters promptly and effectually dispersed by Col. Brereton in conformity with the directions delivered to him for that purpose?—In my opinion they were not. I think what was ultimately effected might have been done at an earlier period.

Did the outrage or violence of the rioters increase at any period during the night of Saturday, after you first gave Col. Brereton orders to put down the rioters?—In my opinion the riot did increase.

Do you know that a charge was made by a part of the troops in the Square against the rioters at a late period on Saturday

night?—I understood there was, but I did not see it. Alderman Savage, who was looking out of the window, told me so.

Was it reported or made known to you after the charge was said to have been made, that certain of the rioters had taken refuge in some of the adjoining alleys, whence they were offering annoyance to the troops?—It was.

[Colonel Brereton declined to cross-examine.]

*By the Court.*

You have stated that the riot act had been read before the arrival of the troops. Was Col. Brereton informed of this?—I believe he was. My impression is that I told him so; he must have known it, as it was the subject of conversation in the room.

Do you, as Chief Magistrate of Bristol, deem the increase of riot on the evening of the 29th was owing to the want of energy and vigor on the part of Col. Brereton, and his disobedience of the orders of yourself and other Magistrates to use the force under his command as you had empowered him to do?—I cannot tell; but I think his conduct must have given confidence to the mob, especially the familiarity with which he treated them; his conduct was rather non-compliance with, than disobedience to, the orders of the Magistrates.

Did the Mayor and Magistrates at the time deem that the conduct of Col. Brereton was mere feeble and temporising than it should have been, or did he or they consider that Col. Brereton declined or neglected the discharge of his duty?—The impression certainly was that Colonel Brereton's conduct was feeble and temporising, which opinion called forth the question from the Town Clerk if he had received instructions not to obey the Magistrates. I could not account for his conduct in any other manner. He certainly neglected to clear the Square as he was ordered to do, assigning as a reason that the mob were good-humoured and dispersing.

Was there any Civil Authority in the streets with instructions to act in concert with the troops, after Lieut.-Col. Brereton had reported their arrival at the Mansion-house, to assist the civil power on the 29th Oct.?—I knew of none in the streets; the Magistrates were in the Mansion-house, from whence all orders were given. I believe Mr. Alderman Savage came up with the troops.

Did any Magistrate leave the Mansion-house with the troops, or with Col. Brereton, when he was ordered to clear the streets, for the purpose of proceeding with the troops?—I am not aware of any.

When you gave Col. Brereton orders to clear the streets, did you or not imply he was both to fire and use the edge of the sword if necessary; and did Col. Brereton understand such to be your meaning?—I certainly did imply, whatever force was necessary it was to be used, and I believe Col. Brereton understood such to be my meaning.

*Mr. Alderman ABRAHAM HILHOUSE examined.*

Were you at the Mansion-house on Saturday evening the 29th Oct., when the military were called into Queen-square in aid of the civil power?—I went for the military and returned to the Mansion-house with them.

Was the riot act read upon that occasion?—I did not hear it read, but understood it had been read before I returned.

What was the temper and conduct of the rioters at the period of your arriving with the troops?—The rioters were exceedingly violent, but not so much so as they had been previously to my return, judging from the havoc they had caused to the Mansion-house. They fled on the approach of the troops.

Did you or any of the civil authorities in your presence give Col. Brereton any directions for putting down the tumult? If so, what was the nature of those directions?—I did not personally. I heard directions repeatedly given him by the Mayor and Town Clerk to clear the square and disperse the mob.

Were those directions promptly and effectually obeyed by Col. Brereton?—They were not.

Did the outrage or violence of the rioters increase at any period during the night of Saturday the 29th October, after orders were first given to Col. Brereton to put down the rioters?—It did very much increase.

At what time on Saturday night or on Sunday morning did the mob begin to be less violent and to disperse?—About eleven o'clock on Saturday night.

[Col. Brereton declined to cross-examine.]

*By the COURT.*

To what cause do you attribute the decrease of the mob at 11 o'clock at night?—I think more vigorous measures had been used to disperse them, in consequence of strong remonstrances from the Magistrates.

Do you recollect that a charge was made by a part of the troops at that time?—I did not see that charge—I understood the soldiers had charged, and had struck with the flat of their swords.

Did you go on horseback or on foot when you went for the troops?—On foot.

[The Prosecutor said, if he was rightly informed, there was another cause, which the Magistrates were aware of, which led to the dispersion of the mob.]

The PRESIDENT thought it would be irregular to go into that part of the case at present, and the Prosecutor did not press it.]

You say more vigorous measures were used. Were they used by Col. Brereton or any other officer?—I do not know.

What are the more vigorous measures you allude to?—I heard the troops had moved about more actively.

*Capt. GAGE, 14th Light Dragoons, examined.*

Did you command a squadron of the 14th Light Dragoons in Bristol on the 29th of October?—Yes.

Was that squadron ordered out by Col. Brereton on the evening of that day?—Yes.

Where did the squadron first form on parade?—In College-green.

Did either of the troops receive an order from Col. Brereton to load, and did it load accordingly?—One troop received such order and did load.

To what part of the city did the troops proceed from the place of assembling?—To Queen-square.

Did you receive any orders from Col. Brereton on that occasion for repelling the tumult; and if so, what was the nature of those orders?—I was ordered by Colonel Brereton to disperse the mob without drawing swords or using violence.

Did the outrages or violence of the rioters increase in Queen-square at any period of that night after the troop first received orders from Col. Brereton?—Yes; at eleven o'clock I was ordered to clear the streets by force.

Were any soldiers of the 14th seriously injured by missiles from the mob in Queen-square on Saturday night?—Three or four were badly cut.

Be pleased to relate any other information arising from your personal knowledge or observation, touching the conduct of Col. Brereton on that nig't, with reference to the charge now under consideration, confining your statement at present to what occurred in Queen-square or the adjoining streets?—Finding the men much pelted by stones and pieces of iron, from boats and barges, where we could not reach the mob, I went to the Mansion-house and asked leave of the Mayor to take a few of the men and use their carbines to dislodge the people from the position they had taken. He hesitated for some time, but I think he was about to grant it, when I met Col. Brereton in the door-way at the top of the stairs, who recommended that it should not be done. I then went to the Square again, and endeavoured to dislodge them without firing. We partly succeeded, with the exception of those who got into the boats and barges. We had by this time cleared Queen-square and all the adjacent streets, and I was about to go home and feed the troop, and to be relieved by the 2nd troop of the squadron.

Did you receive orders between eleven and twelve that night to proceed from Queen-square with your troop to the Council-house?—I received an order from Colonel Brereton to go to the Council-house to protect it, as the mob were breaking in.

Were you restricted upon that occasion from using any of the weapons with which a dragoon is armed, in case the necessity should arise for employing force?—No.

Was the body of the rioters considerable, and did their attack upon the Council-house appear to be of a violent character when you arrived there with your troop?—Yes.

Were the rioters dispersed from the front of the Council-house, by your troop?—They were immediately dispersed, except in the alleys, where we could not get at them.

Be pleased to relate what occurred in the adjoining street while you were patrolling to preserve the peace after the rioters

had been dispersed from the Council-house?—The party with which I patrolled Wine-street were very much annoyed by the mob pelting us with stone and pieces of iron from the alleys; one alley in particular which we passed repeatedly, annoyed us more than any other; the mob in that alley were headed by a man in a light coloured dress, who advanced in the streets several paces before he threw his missile of iron or stone; the third or fourth time he did it, I drew a pistol, levelled it at him, but it snapped; a soldier immediately on my left fired, and the man fell; after that the mob left that passage; these occurrences occupied till half-past twelve, when I took the party off, that part of the town being quiet, leaving Lieut. Dawson and my Sergeant-Major to patrol the street, with an understanding they were to be relieved in two hours.

At what period of Saturday night or of Sunday morning did the whole or any part of Capt. Musgrave's troop return to its quarters?—Part of the troop went to their quarters on Saturday night, about twelve o'clock; part remained near the Mansion-house, and were relieved in two hours.

*Cross-examined.*

After Colonel Brereton had ordered the troops to load, did you not proceed to Queen-square at a quick trot?—Yes.

Did you see Alderman Hilhouse accompany the troops to Queen-square?—No—I do not know his person.

Did not the rioters cease for a time from violence on the arrival of the troops in Queen-square?—Yes.

Was there any renewal of violence by any large body of rioters after the arrival of the troops in Queen-square, till just before eleven o'clock, when orders were given to clear the streets by force?—I did not see any.

*By the Court.*

You stated that you were ordered to clear the streets by force about eleven o'clock. Who gave you that order?—Colonel Brereton.

Was Colonel Brereton frequently in communication with you after the arrival of the troops at the Mansion-house?—Yes.

[In the course of this day's proceedings the names of about thirty additional witnesses for the prisoner were put in by his Counsel.]

**THIRD DAY.—WEDNESDAY, January 11th, 1832.**

The Judge Advocate stated that as it was doubtful, from the evidence of Mr. Alderman Hilhouse, whether it was with a troop of the 14th or of the 3rd Dragoon Guards that he came, it was desirable to clear up that point, and Alderman Hilhouse was called, who stated that he went for the military and returned with the troop of the 3rd Dragoon Guards.

*Lieut. Wm. Jas. Dawson, 14th Dragoons, examined.*

Was you on duty with Capt. Gage's troop of 14th Dragoons in Queen-square, on Saturday night, the 29th of October last?—Yes.

Was that troop detached from Queen-square in the course of that night, to disperse a body of rioters at the Council-house?—Yes.

Was the body of rioters considerable, and did the attack upon the Council-house appear to be of a violent character?—It was of a very violent character, but I could not tell the number, it was so dark.

Were the rioters dispersed from the front of the Council-house by the troop of the 14th Dragoons?—They were.

What became of the rioters or a part of them, after they were so dispersed?—They ran away, and disappeared in the entries and narrow alleys.

Was that part of the troop which you had under your command for the purpose of patrolling the streets, pelted by a part of the rioters who had been so dispersed?—They were very much pelted. I was myself hit seven or eight times.

*Cross-examined.*

Was there any general riot in Queen-square after the arrival of the troops, till the orders for clearing the streets were given?—I saw none. I was not there. I came to Queen-square at seven o'clock and left it at ten. There was a little attempt at the back door of the Mansion-house, but it was soon defeated.

Was there any general riot at Queen-square from the time you came on duty there till ten o'clock?—No: but an immense crowd.

*Troop-Sergeant-Major JOHN ALLEN, examined.*

Was you on duty with a troop of the 14th Dragoons, on Saturday night, the 29th of October?—Yes.

Was you ordered by Capt. Gage, between the hours of eleven and twelve on that night to patrol the streets in the vicinity of the Council-house?—Yes.

Was that part of the troop then under your command pelted by a part of the rioters dispersed from the Council-house?—Very much.

[Colonel Brereton declined to cross-examine.]

*THOMAS GARRARD, Esq. Chamberlain of Bristol, examined.*

Was you at the Council-house between eleven and twelve on Saturday night, the 29th of October last?—I was.

Did a body of rioters make an attack upon the Council-house at that period?—They did.

Were they shortly afterwards dispersed from the Council-house by the Dragoons?—They were.

What damage had the rioters previously done to the Council-house?—They had destroyed the glass of the windows and the window frames.

Is it your opinion from the nature of their attack that their object was to break into the Council-house if they had not been prevented?—It certainly was their intention. We had a civil force of about thirty-five men, which I did not think sufficient for the protection of the building.

Do you know whether the rioters, after being dispersed from the Council-house, retreated into narrow passages and alleys in the neighbourhood, whence they pelted the Dragoons as the latter patrolled the streets?—They did.

Have you in your possession a piece of cut iron which was employed by the rioters that night, with which the windows were broken, or the troops assailed? If so, be pleased to produce it, and state how and from whom you received it?—The witness here produced a piece of broken iron of a conical form (about five inches in length, and one and a half broad at the base) and deposed,—a very serious attack was made by the rioters; observed to one of the troop of the 14th Dragoons, when he said “is not this too bad for men to be attacked in this way,” and gave me the piece of iron.

Were any of the men that were with you in the Council-house armed?—Yes, with staves.

*Wm. H. HARRIS, Esq. Solicitor, examined.*

Were you present near the Mansion-house during the riot on Saturday night the 29th of October?—I was.

Did you see Lieut.-Col. Brereton near or among the rioters on that evening or night?—Yes, several times.

Did you see any behaviour, or hear any language, on the part of Lieut.-Col. Brereton towards the rioters, or on the part of the rioters towards Lieut.-Col. Brereton, which particularly attracted your attention?—I did.

State what it was?—I saw him pull off his cocked hat and wave it, and join in the cheers of the mob. I saw him shake hands with several of the rioters who were making a noise and shouting. A man in the crowd asked him if he was for Reform. He answered, as well as I can recollect, “I am, as well as you, my boys.”

*By the COURT.*

Was Lieut.-Col. Brereton in a red or blue coat when you saw him among the rioters on the evening of the 29th of Oct., during the familiarity you speak of?—I cannot distinctly recollect; but I now recognise his person.

Was the person you have described apparently in command of the troop at the time?—He was.

*Wm. H. DAYES, City Officer, examined.*

Were you present near the Mansion-house during the riot on Saturday night, the 29th of October?—I was.

Do you know Lieut.-Col. Brereton's person?—I do.

Did you see him near or among the rioters on that evening or night? If so, state about what time.—I did see him between eight and ten o'clock.

Did you see any behaviour, or hear any language, on the part of Lieut.-Col. Brereton, towards the rioters, or on the part of the rioters, towards Lieut.-Col. Brereton, which particularly attracted your attention? If so, state it.—On that evening after considerable damage being done to the Mansion-house, the Mayor ordered myself and another officer to shew Colonel Brereton where to place the soldiers. The Colonel mounted his horse a few paces from the door, and commenced talking to the mob, and requested them to disperse and go quietly and peaceably home, for about ten minutes, during which time the mob frequently cried out "the King and Reform," and were cheering him. Once Colonel Brereton pulled off his hat and waved it over his head as if joining in the cheers!

*Sergeant-Major EDWARD DEANE, 3rd Dragoon Guards,  
examined.*

Was you on duty with Capt. Warrington's troop in Queen-square, in this city, during a riot which prevailed there on Saturday 29th Oct.?—Yes.

Did you observe Lieut.-Col. Brereton at any time during the evening or night of 29th Oct. shake hands with the rioters, or permit them to shake hands with him?—I observed the rioters taking hold of his hand, and shaking it several times.

Did you see Lieut.-Col. Brereton, with his hat off, waving it with or near the rioters, when they cheered?—I saw Lieut. Col. Brereton with his cap off, waving it with the rioters when they cheered.

Did you hear any expression or words made use of by Col. Brereton, or by the rioters on that occasion?—I heard Col. Brereton several times addressing the mob, requesting them to go to their respective homes; if not, that he would have to use violence. I heard the mob sing out, "the King and Reform."

Before Capt. Warrington's troop marched from their alarm post in College-green that evening, was the troop ordered to load?—They were.

Was Colonel Brereton then present?—He was.

*Cross-examined*

Had any act of violence or resistance taken place in your presence in Queen-square, when Col. Brereton was acting in the manner you stated?—Nothing more than the noise and cheering of the mob.

*By the COURT.*

Are you certain that Colonel Brereton wore a cap, and what description of cap was it?—A blue cap with a silver band. I never saw him with any other head-dress but once; which was with a cocked hat when the troops first came into the city.

Was it not very dark at the time you speak of?—It was dark.

Were you near enough to Col. Brereton to judge whether it was against his will, or with his consent, that several of the rioters shook his hands?—I always supposed it was against his will on that night.

General DALBIAC here announced that, unless any peculiar circumstance should occur to render it necessary to elucidate some particular point, the evidence on the first charge was now closed. He then proposed that as the 2nd, 3rd, and 4th charges were closely blended as to matter of fact, they should now be entered upon together.

Colonel Brereton did not object to this arrangement.

SECOND, THIRD, AND FOURTH CHARGES.

*CHAS. PINNER, Esq. Mayor of Bristol, examined.*

At what the earliest period of Sunday morning the 30th Oct. was you present at the Mansion-house?—I was there all Saturday night, till about 8 o'clock on Sunday morning.

Was the tumult renewed at or near the Mansion-house on Sunday morning. If so, please to state the time and the particulars thereof up to the time of your leaving it?—It was renewed, as near as I can recollect, between 7 and 8 o'clock; the mob attacked the Mansion-house with stones and iron bars, endeavouring to destroy the wooden boards which had been nailed over the doors and windows during the night. They were in the act of wrenching the boards away from the side door with an iron bar, when I asked Major Mackworth whether he thought I ought to retire? He said, as a military man, he thought I should retire. I had previously sent the Under-Sheriff to collect what constables he could, and Major Mackworth and ourselves escaped over the roof of the neighbouring houses from the Mansion-house.

Had the troops been entirely withdrawn from Queen-square when the rioters made this determined attack upon the Mansion-house?—They had. A small picquet which remained had been withdrawn.

Were the troops ordered out by you in consequence of this attack on the Mansion-house?—They were; on personal application by myself, with Alderman Hilhouse, to Colonel Brereton.

Were you at the Guildhall towards noon on Sunday 30th October?—I was, about 12 o'clock.

Were you present when Lieut.-Col. Brereton came to submit to the civil authorities at the Guildhall, the expediency of removing the 14th dragoons from the city?—I was.

Be pleased to relate what passed between yourself and any of the Civil Authorities, and Lieut.-Colonel Brereton, upon that occasion, relative to such removal of the 14th dragoons?—As near as I can recollect, myself, the Town-Clerk, and some Magistrates were together, when Colonel Brereton came to ask permission to send the 14th out of Bristol. The Town-Clerk strongly remonstrated against such a measure. He said, "the Magistrates not only will not grant permission, but will not even divide the responsibility with you." I believe at that time Mr. Alderman Fripp strongly objected. Col. Brereton strongly urged the necessity of their going. I think he stated, that they

had fired on the people, and that the people were irritated against them, and that the men and horses were tired, and required rest, or something to that effect. I believe he expressed a wish for them to retire only about two miles from Bristol. I recollect the Town-Clerk told him that the Magistrates would not grant permission, but if they could not assist, they would not embarrass the Colonel. Several places were then mentioned by the Town-Clerk and Magistrates near Bristol for the Blues to go to. At the same time the Town-Clerk cautioned the Colonel not to imagine that the Magistrates, in mentioning such places, acquiesced in the removal of the troops. Afterwards Alderman Fripp said something about his (Col. Brereton) being commander-in-chief and he must use his discretion, but the Magistrates could not authorise the withdrawing of the troops, or words to that effect.

Was Keynsham then named as one of the places to which it might be desirable to remove the 14th dragoons?—Keynsham was not named. Col. Brereton proposed only moving them two miles. I remember all the places named.

Were you present at a subsequent period in the afternoon of that day, when Col. Brereton again attended at the Guildhall?—I was.

Did you hear, or was you engaged in a discussion which took place between some of the civil authorities and Lieut.-Col. Brereton, as to the expediency of recalling the 14th from Keynsham?—I was.

Be pleased to state what passed upon that occasion?—As near as I can recollect, the Town-Clerk told the Colonel, that the 14th must be brought back. The Colonel said "they cannot," or words to that effect. The Town-Clerk peremptorily demanded that the Colonel should order back the 14th. The Colouel positively refused it; stating that it would be only bringing the men to certain destruction; and said "I will take the responsibility on myself." I recollect the Town-Clerk saying, that if no one else would report it, he himself would, to the Horse Guards, or words to that effect. At the same time it was mentioned by the Colonel that the horses and men were tired. The Town Clerk asked, could not some of the horses by degress be rested, while others were employed, or words to that effect. He also enquired whether the men could not act on foot, and whether fresh horses could not be procur-ed. None of these proposals were acceded to.

*By the COURT.*

Did you as chief Magistrate of the city, consider that the troops assembled in Bristol under the immediate command of Lieut.-Col. Brereton, were under your control?—I consider that they were sent to assist the Civil Authorities of Bristol, and were consequently under their control. I did not consider myself the commander of the troops; but that the wishes of the Civil Authorities were to be conveyed through the commanding officer.

Do you consider that when the Town Clerk was issuing the demands and orders, he was acting under your immediate authority?—I consider he was expressing the opinions and sentiments of the Magistrates.

Did Col. Brereton apply to you, or to your knowledge to any of the Civil Authorities during the riots, to accompany him with the troops to put down the mob?—Not to my knowledge.

*Mr. Sergeant LUDLOW, examined.*

Were you at the Guildhall towards noon on Sunday, 30th Oct.?—I was there soon after eleven o'clock.

Were you present when Colonel Brereton came to submit to the Civil Authorities at the Guildhall the expediency of removing the 14th dragoons from this city?—I was.

Please to relate what passed in your hearing on that occasion?—When Col. Brereton came in, the Mayor, several of the Magistrates, and myself were present; he said to the effect that he wished to have the sanction of the Magistrates for the removal of the 14th from the city; I believe I expressed some surprise; and he said they had unfortunately fired on the people, and that the mob were so exasperated against them that their lives would be in danger if they remained; either then, or afterwards in the same day, on the same subject, I asked Col. Brereton if that was a sufficient reason for a military man to send the troops out of the city which the Government had sent down for the protection of the inhabitants? He said he did not know that soldiers' lives were to be sacrificed unnecessarily more than those of other persons; and that the men and horses were so fatigued, that they were altogether unfit for service; I expressed my surprise, and that it was extraordinary that all the horses should be unfit for action; he said, "still it is so;" he wished them to be taken to some quiet quarters, where they should refresh themselves, and become fit for action; I replied, the Magistrates would not take the responsibility from him, nor even divide it with him; if it was done at all, it must be at his single responsibility; either then, or in the course of the discussion, an officer of the 3rd dragoon guards came in, and supported Col. B.'s opinion, by saying that the horses certainly required rest, without mentioning of which regiment; that did not alter the opinion that the Magistrates had formed, or my advice to them, which was, not to consent to the removal; I think Col. Brereton said, "I must send them away, and I wish you would tell me where I must send them to;" one or two places I think were mentioned; the Magistrates were not willing to mention any place; at last I think I said, "Col. Brereton, the Magistrates won't embarrass you if they cannot assist you; they don't sanction the removal at all; but if they are to be sent out of town, send them somewhere near, from which they can be brought as shortly as possible," or words to that effect; Redland was recommended as the best place, not being more than two or three miles.

Was Keynsham ever named as one of the places?—I cannot swear: not to my recollection, certainly.

Are you, as the Town-Clerk of the city, considered to be the organ of communication of the Municipal Authorities upon all or most official matters brought under their consideration whilst you are present?—I believe so. I generally communicate their sentiments as a body when they are present.

Did Col. Brereton on any occasion during the riots raise any objection to your being so considered?—Never.

Were you afterwards present in the afternoon of Sunday 30th Oct. when Colonel Brereton again attended in the Guildhall?—I was.

Did you hear, or were you engaged in a discussion which then took place between some of the Civil Authorities and Lieut.-Col. Brereton, as to the expediency of recalling the 14th dragoons?—I was.

Be pleased to relate what passed.—Many of the citizens were attending in the large outer hall; I went out from time to time to speak to them; an account had been brought that the bridewell or gaol, or both, had been attacked by the mob; they asked me why the soldiers were not brought up, and said “we are willing to hazard our lives if supported by troops, but will not act without them;” I said the Magistrates understood there were few troops in the city that acted; I mentioned the subject again to Col. Brereton publicly before the persons in the Guildhall, representing the dreadful state the city was in; he must have said something about horses, as I asked him if he could not allow the troops to act dismounted; he said, no; I distinctly said to him on the part of the Magistrates and citizens, “I demand of you to have the troops brought back;” I do not recollect the manner of his refusal, but I recollect going up to him and saying, Col. Brereton, if nobody else represents your conduct in the proper quarter, I myself will; at this time the city had no protection; the citizens would not act without the soldiers; the soldiers were withdrawn.

*By the Courier.*

What was the state of the city at the time of the removal of the 14th?—A state of very great confusion, from the power the mob had acquired; I consider the city was in the possession of the mob all of a sudden.

*Mr. Alderman ABRAHAM HILHOUSE, examined.*

Were the troops ordered into Queen-square on Sunday, 30th October, and at what time?—I ordered troops there about 9 o'clock; I came with the 3rd dragoon guards to the Mansion-house.

Had the Mansion-house been seriously threatened about that time by a body of rioters?—The Mansion-house had been barricaded during the night; at that time the barricade had been broken down; the rioters had gained possession of the lower part of the house; had destroyed what little furniture remained at night; they had broken into the wine cellar, and destroyed and carried off a great quantity of wine and furniture.

Was the riot act read on that occasion, and by whom?—I read it three times.

Did you, or any other Magistrate in your presence, give orders to Lieut.-Col. Brereton for the troops to fire on that occasion, in order to disperse the rioters?—I cannot swear that I directed Col. Brereton to give orders to the troops to fire; but each time after reading the riot act I addressed the rioters; I entreated them to disperse, and told them that the troops would fire; the last time I addressed them, Col. Brereton came up to me; I told him the rioting must be put down, the square must be cleared; his answer was, “the troops cannot, and shall not fire;” their carbines, he said, were not like infantry muskets; they had been up all night; the horses and men were much fatigued, and were not equal to contending with the mob; he said we must keep the mob in good humour, and endeavour to get the troops rested, or the city might be given up in the evening to plunder and slaughter; the Colonel complained of the infuriated feeling of the mob towards the 14th, in consequence of a man being shot during the night; shortly after he sent the 14th away.

Were you at the Guildhall towards noon on Sunday, the 30th of October, 1831?—No, I was not; I waited at the Mansion-house till between two and three.

Were you at the Guildhall all Sunday afternoon, the 30th of October, 1831?—I was.

Did you hear, or were you engaged in a discussion which took place between some of the Civil Authorities and Lieut.-Col. Brereton, as to expediency of recalling the 14th Dragoons? If so, please to state what passed.—I did hear the discussion which took place; the Town Clerk directed Colonel Brereton immediately to bring back the 14th Dragoons; the Colonel said he would not; he said upon his own responsibility he refused to bring them back, feeling assured that if they were brought back, there would not be a man of them alive the next morning; the Town Clerk again ordered them to be brought back; and upon his again refusing, said, if no one else reports your conduct to Government, I will.

Had any of the public buildings been attacked, or broken into, or threatened at the time the Civil Authorities demanded the recall of the 14th Dragoons? Or was there any tumult then in the city?—Several public buildings had been broken into; the Mansion-house, the Bridewell, and the New Gaol

#### Cross-examined.

When the rioters were in Queen-square on Sunday morning, the 30th, did not Colonel Brereton, in the presence of Robert Marshall, request you to give orders to fire, and did you not refuse to give such orders?—I never heard any such request; nor did I refuse to give orders to fire.

Was not the Bedminster troop of Yeomanry in Bristol during the whole of Sunday, the 30th, with the Magistrates knowledge? And was that fact ever communicated, as far as you know, to Colonel Brereton?—I never knew they were in Bristol.

*Sergeant DANE examined on the Second Charge.*

Was a troop of the 3rd Dragoon Guards ordered into Queen-square on Sunday morning, the 30th of October? And if so, about what time?—Yes, between nine and ten o'clock in the morning.

When the troop arrived in Queen-square, was it cheered by the rioters?—I did not hear them cheer the troop; I heard them sing out “the King and Reform.”

## FOURTH DAY.—THURSDAY, January 12th, 1832.

*Sergeant E. DANE's examination resumed.*

Did you hear the rioters cheer at all?—Several times.

Did Lieut.-Col. Brereton join in or acknowledge the cheer of the rioters?—I did not hear him say anything, but I saw him wave his cap several times.

Did any of the 3rd Dragoon Guards, who happened to be near Lieut.-Col. Brereton, follow the example set by him as their commanding officer?—Yes.

Did you see Lieut.-Col. Brereton shake hands with the rioters, or the rioters shake hands with him, upon that occasion?—I saw the rioters take hold of his hand, and shake it, as it hung down by his side.

*Cross-examined.*

Was there any rioting in Queen-square on Sunday the 30th, after the arrival of the 3rd Dragoon Guards, until the arrival of the 14th Dragoons?—I saw none, except hooting and shouting.

*By the COURT.*

What time elapsed between the arrival of the 3rd Dragoon Guards and the 14th?—About a quarter of an hour.

Was there a great mob in Queen-square on Sunday morning?—There was.

Had the 3rd Dragoon Guards their swords drawn on this occasion, and did they wave their swords on cheering?—They had not.

How then did they follow the example of the Lieut.-Colonel?—They took their helmets off, and waved them.

*Cornet CHAS. KELSON, 3rd Dragoon Guards, examined on the 2nd Charge only.*

Was the troop of the 3rd Dragoon Guards, and one of the 14th Dragoons, in Queen-square on Sunday morning, the 30th of October, under the command of Lieut.-Col. Brereton?—They were.

Was the body of rioters there assembled very considerable?—It was.

Did the troop of the 3rd Dragoon Guards arrive before or after the 14th?—Before.

Did the mob cheer upon the arrival of the 3rd Dragoon Guards in Queen-square?—No.

Did they cheer soon after the arrival of the 3rd Dragoon Guards, and before the arrival of the 14th Dragoons?—About half an hour after the arrival of the 3rd; and before the arrival of the 14th.

Was that cheering acknowledged by Lieut.-Col. Brereton; and if so, state in what manner?—I did not perceive that it was.

Did Lieut.-Col. Brereton take off his cap or hat and wave it upon that occasion?—I did not perceive that he did.

When the troop of the 14th arrived in Queen-square, what reception did it meet with from the rioters?—Hooting and hissing.

Did you observe the rioters pelt the 14th dragoons with glass bottles, or other missiles, on that occasion?—No.

Did you hear any threats, or terms of execration, then used by the rioters against the 14th; if so, state the terms employed?—I did. “Take away the bloody blues.”

*Cross-examined.*

Was any Magistrate present in Queen-square with the troops on Sunday morning the 30th, about ten o'clock?—None, that I knew.

*By the COURT.*

Were you with the troop of the 3rd dragoon guards the whole time they were in the Square the morning of the 30th?—No.

Did you hear the 3rd dragoon guards cheer, or did you see them take off and wave their helmets?—I did not hear them cheer, but I saw them take off their helmets.

*Sergeant-Major MARTIN, 3rd Dragoon Guards, examined on the second charge only.*

Were you on duty with a troop of the 3rd dragoon guards in Queen-square on Sunday morning the 30th Oct.?—I was.

When the troop arrived in Queen-square, did the mob cheer?—Not immediately, but very shortly after.

Did Lieut.-Col. Brereton in any way acknowledge those cheers; if so, in what manner?—I did not see him acknowledge those cheers till after the withdrawal of the 14th.

In what manner?—He raised his cap from his head; I saw several of the mob take him by the hand.

Did he then wave his cap to the rioters?—Yes.

Did any of the 3rd dragoon guards who were near Lieut.-Col. Brereton do the same?—I did not see them.

Did the rioters make use of any particular expressions when they cheered; if so, state them?—They called out repeatedly “red jackets for ever, down with the bloody blues.”

Did Lieut.-Col. Brereton attach himself more immediately to the 3rd dragoon guards, or take that troop more under his personal command than the 14th, during the 29th and 30th Oct.?—I consider that he did.

[Lieut.-Col. Brereton declined to cross-examine.]

*Wm. HARMAR, Esq. Solicitor, examined on the 2nd charge.*

Were you in College-green about 11 o'clock on Sunday morning, 30th Oct.?—Yes.

Did you see a crowd in or about the Green at that time?—Yes.

Was Lieut.-Col. Brereton near or amongst that crowd?—I saw him entering on horseback, and several boys and men following him.

Did you hear any conversation between him and the mob which particularly attracted your notice? if so, state the nature of it?—The mob were using very cross expressions towards the blues, as “down with the bloody blues—murder the blues;” I heard several such remarks; cannot recollect all the expressions; I was about 10 yards from Lieut.-Col. Brereton; I think he said, “I am going to send them out of town.”

Did you shortly afterwards see Lieut.-Colonel Brereton in Queen-square?—I did.

Did you on that occasion hear Lieut.-Col. Brereton make use of any language to the mob which particularly attracted your attention; if so, state it?—The mob were exulting about the 14th dragoons; he said “I have sent them out of town,” and the mob cheered.

Did Lieut.-Col. Brereton in any way acknowledge the cheering of the mob?—Not that I recollect.

[Lieut.-Col. Brereton declined to cross-examine.]

*Capt. GAGE, 14th Dragoons, examined on 2d and 3d charges.*

Was a troop of the 14th dragoons ordered into Queen-square under your command, on Sunday morning, 30th Oct., and at what hour?—Yes, about 10 o'clock.

Was the body of rioters very considerable when you arrived?—Yes.

What reception did the 14th dragoons meet with from the rioters on that occasion?—Groans and hisses, and cries of “pull them off their horses.”

Were the 14th dragoons threatened and pelted, as well as hissed and abused?—They were pelted immediately after we moved from the Square; we were threatened and abused as long as we remained in the Square, but not pelted.

Did Lieut.-Col. Brereton sometime afterwards order the 14th to leave the Square, and return to their quarters; if so, state in what terms the order was conveyed?—Lieut.-Col. Brereton ordered me to retire immediately with the troop to their quarters, as it was evident we were the whole and sole cause of the disturbance that was then taking place.

Please to state what was the conduct of the rioters, and what the consequences of their conduct during the march of the 14th Dragoons from Queen-square to their stables?—Immediately on leaving the Square they closed in upon our rear, and pelted us with stones and pieces of iron; I twice faced the men about, and charged the mob; they retreated into the houses and pelted us; we formed up, and again commenced our retreat, and were

again pelted as before ; we charged a third time ; at that hour in the morning, all the houses being opened, it was easy for them to retire to places where we could not touch them ; in consequence, I faced three men about on the rear guard ; the men were ordered to present their pistols, but not to fire ; I remained in the rear of the troop myself, and observed that at first it had the effect of dispersing them ; but on arriving at St. Augustine's church, they closed in upon the three men that I had faced about, and I ordered them to fire in self-defence ; they did fire ; we continued our retreat in that way, covered with the skirmishers we had thrown out, to our quarters.

Were you ordered by Lieut.-Col. Brereton to leave Bristol with a squadron of the 14th Dragoons on Sunday, the 30th of October ; if so, at what hour ?—I was ordered by Lieut.-Col. Brereton to leave Bristol on Sunday, as I imagine, between one and two o'clock.

State the manner and place in which that order was conveyed, and every thing which passed between Lieut.-Col. Brereton and you on that occasion ?—I received the order, verbally, from Lieut.-Col. Brereton in the yard of Fisher's livery stables : the words were, "Capt. Gage, march your squadron immediately out of Bristol ; if you do not, the whole squadron will be murdered ;" at that moment my own horse and about seven privates were at Leigh's livery stables, about fifty yards from Fisher's ; some delay ensued from my having to send for them ; and Lieut.-Col. Brereton came to me a second time, and said, "for God's sake, Capt. Gage, will you get out of town ?" I asked him where we were to go ; he answered "any where you please, only go away ;" some man in the crowd (I believe an ostler in the yard) proposed that the troop should be sent to Keynsham ; Lieut.-Col. Brereton said "Keynsham will do ; now, Capt. Gage, march your squadron off at a trot ;" I moved off at a trot, and we were again much pelted by the mob ; a man and horse in the rear of the squadron fell ; the mob immediately attempted to rush upon him on the ground ; we faced a party in the rear to protect this man, and I think I heard two or three shots fired ; am not positive how many ; we rescued the man, and were no more molested, but continued our march to Keynsham.

Did Lieut.-Col. Brereton on Sunday morning, the 30th of October, prior to the march of the squadron of the 14th Dragoons from Bristol, make any enquiry, or call for any report from you, as to the state and efficiency of the men and horses ?—None whatever on Sunday morning.

In what state, as to the freshness and efficiency for duty, were the men and horses at the time the squadron marched out of Bristol ?—I conceive the squadron was capable of performing any duty cavalry could be called upon to perform.

Do you consider the construction of Fisher's livery stables to be such as to have enabled you and your squadron to have defended the stables against any attack of the rioters ?—I conceive that six men, three at each gateway, could hold it against any mob.

*Cross-examined.*

When Lieut.-Col. Brereton ordered you to remove the 14th Dragoons as you have stated, did he not order you to remove them to Brislington; and as there was but one public-house there, if you did not get accommodation there, to push on to Keynsham? And did he not at the time direct you the road to Brislington?—I do not recollect Lieut.-Col. Brereton ordering me to Brislington; but several people belonging to the yard named different places.

When Lieut.-Col. Brereton ordered you to remove the 14th as you have stated, did he not order you to keep the horses saddled, and to be ready to be recalled as soon as there should be a re-inforcement?—Lieut.-Col. Brereton ordered me to keep the squadron in readiness; but I am not aware that anything was said about a re-inforcement of troops.

Was not General Pearson in company with Lieut.-Colonel Brereton at Fisher's livery stables, at the time when you removed the 14th Dragoons; and did not General Pearson accompany you towards Brislington?—General Pearson was present when we left the yard, and accompanied the squadron to the Hotwells as far as a turning which led to his own house at Clifton. There he left us saying he would go home, wishing us success, or luck, or words to that effect; and said he should very likely come out to see us at Keynsham either that evening or the next morning.

On the arrival of the 14th from Queen-square at their stables on Sunday morning the 30th, did not Lieut.-Colonel Brereton send to you a sergeant for a report of the reason of firing?—Just before I arrived at the stables, a soldier overtook me, and asked me what the firing was about? I do not recollect that he said he came from Lieut. Colonel Brereton. I told him I had been attacked in the streets, and fired in self-defence. I have said I do not recollect that he told me he came from Lieut.-Col. Brereton, but the impression on my mind is, that he did.

*Re-examined.*

Did you not proceed with the squadron of 14th dragoons from College-green to Keynsham by a circuitous route, and really with the orders from Lieut.-Col. Brereton to do so?—I am not aware that the route was a circuitous one; but a more private road than going through the town was pointed out by Colonel Brereton.

*Wm. GREGORY, Esq. Attorney, examined on 2nd and 4th*

*Charges.—SECOND CHARGE.*

Was you in Queen-square in the forenoon of Sunday 30th October, and was there a considerable mob there assembled?

—Yes.

Was Lieut.-Col. Brereton present?—Not when I was first in the Square, but he came soon after.

Did you hear any conversation between Lieut.-Col. Brereton and the mob on that occasion; if so, state it?—After the troop of the 14th arrived, the mob became very clamorous,

*Capt. C. MUSGRAVE, examined on 2nd Charge.*

Was you present at Fisher's stables on Sunday, the 30th of October, when Lieut.-Col. Brereton ordered the squadron of the 14th Dragoons to leave Bristol?—I was.

State what passed between Lieut.-Col. Brereton and Captain Gage, or yourself, on that occasion?—Lieut.-Col. Brereton, about eleven o'clock on Sunday morning, came to Fisher's stables, and required to see Capt. Gage, saying Capt. Gage's squadron must instantly leave Bristol; Capt. Gage came in, having left part of his troop in the stables; Lieut.-Col. Brereton told Capt. Gage he must leave Bristol as quickly as possible, and not lose a moment, as the safety of the city depended on their going.

Was the squadron followed from Fisher's stable by the mob, and was it hissed and abused by them?—Yes.

Did this happen in sight of Lieut.-Col. Brereton?—I did not see him.

Is there sufficient space in the ride for the number of Dragoons that were in Fisher's yard to form up when mounted?—Hardly room for sixty mounted men.

[Lieut.-Col. Brereton declined cross-examining.]

*Mr. JOHN JOHNSON, glass-maker, examined on 2nd Charge only.*

Were you present in Queen-square on Sunday morning the 30th of October; and if so, were you in a situation to have a good view of what was going on?—Yes; on the top of the Custom-house.

Were any of the troops there; and if so, was Lieut.-Colonel Brereton with them?—Yes; the 3rd Dragoons nearly opposite the Mansion-house, and the 14th nearly opposite the Custom-house. I saw Lieut.-Col. Brereton pass and repass several times.

State any particulars that you saw of the conduct of Lieut.-Col. Brereton or of the rioters, until you left the Square?—I saw some thousands of persons, and the rioters who were nearest to me I saw insult the 14th repeatedly with stones and sticks. I saw one of the rioters nearly knock one of the 14th off his horse. The 14th were hissed and hooted in every direction until they were taken out of the Square. I saw Lieut.-Col. Brereton pass and repass continually, and take off his hat and huzza to the mob, who were running after him, taking hold of his hand, &c. He pulled off his hat, and made his obeisance to the lowest of the low.

[Lieut.-Col. Brereton declined cross-examining.]

*Capt. JOHN COOK, Gloucester Militia, examined on 4th Charge.*

Were you present in the Guildhall on the afternoon of Sunday, the 30th of October, when there was a discussion between some of the Civil Authorities and Lieut.-Col. Brereton, as to the expediency of immediately recalling the 14th Dragoons into the city?—I was in the Guildhall about three o'clock, Lieut.-Col. Brereton arrived a few minutes after. Mr. Ludlow

had been speaking to the people assembled, but immediately addressed himself to Lieut.-Col. Brereton, and asked if he was aware of the state in which the city then was; and that the prisoners had been released from the Bridewell, which was then burning, and the rioters, he believed, were then proceeding to the City Gaol; and he asked if they were not to have the assistance of the troops. I think Lieut.-Col. Brereton said they were jaded and unfit for service, and as the mob was irritated against them their lives would be in danger. Mr. Ludlow said, "is that a soldier's reason for keeping them away? I demand the return of the 14th from Keynsham; and I certainly shall feel it my duty to report this, if it is not done by any one else, in the proper quarter." I do not remember any reply. There was a general exclamation in the hall, that they were lost without the support of soldiers.

[Lieut.-Col. Brereton declined cross-examining.]

General Sir C. DALBLAC here announced, that the evidence on the second, third, and fourth charges was closed; and as the substance of the former part of the fifth charge was conveyed in the evidence already heard, he should now proceed to the latter part of the fifth charge.

FIFTH CHARGE—LATTER PART.

*Cornet C. KELSON, 3rd Dragoon Guards, examined.*

Were you ordered with a detachment of 3rd dragoon guards to proceed to the new gaol on Sunday, 30th Oct.; if so, state as precisely as you can, the time when you marched from College-green for that purpose?—I was ordered so to do; the detachment marched from College-green at nearly half-past 3.

In marching through College-green, did you see Lieut.-Col<sup>o</sup> Brereton; and if so, state particularly any orders you received from him on that occasion?—I saw Lieut.-Col. Brereton, and was ordered by him to go to the gaol; I asked him what I was to do when I got there; he replied that he could give me no orders to act; he could find no Magistrate to give him orders; I was on no account to use any violence; but to go there and return.

What numbers did your force consist of when you marched through College-green; and what numbers when you arrived before the gaol?—Eleven men when I passed through College-green; twenty when I arrived at the Gaol.

State every thing which you did with the detachment, and every thing that came under your observation with respect to the rioters, from the period of your arrival in front of the Gaol until your return to College-green?—On my arrival at the Gaol I saw an immense mob collected; I marched the men to the Gaol door, and saw a great number of people inside the gaol; they were knocking some things to pieces; I put my men threes about, and took them back to College-green.

Did you, on your return to College-green, report your arrival to Lieut.-Col. Brereton in person; if so, state every thing that

passed between you and him when you reported your return?—I reported my arrival to Lieut.-Col. Brereton in person; he asked me what I had done at the Gaol; I said I had done what he told me—nothing (laughter); he told me that he heard that I had shot four men there; I replied that I had done nothing of the sort; he told me I had acted perfectly right.

As precisely as you possibly can, state the hour of your so reporting your return to Lieut.-Col. Brereton?—About four or a quarter past.

*Cross-examined.*

Did you not tell Lieut.-Col. Brereton, on your return from the Gaol, on the 30th of October, that you found ten thousand rioters there, and could do nothing against them, and you could not find any Magistrate or Civil Authority there?—I recollect telling Lieut.-Col. Brereton that I saw an immense mob at the Gaol, (but I cannot specify number) destroying it, and that I had done nothing to check them; I do not recollect saying anything about Magistrates.

The Court was then adjourned.

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### SUICIDE OF LIEUT.-COL. BRERETON.

The investigation was brought to an abrupt termination, by Lieut.-Col. Brereton committing self-destruction.

After the proceedings of Thursday, Colonel Brereton dined with some friends at Reeve's Hotel, College-place, whence he drove home in his gig to his residence on Lawrence-hill, about a mile from Bristol, about eleven o'clock. He had, during the evening, been labouring under a distracted state of mind, which indeed was to be expected, from the grave nature of the charges on which he had been brought to trial. After reaching home, he sat up until about three in the morning, when he retired to his bed-room. It had been his invariable custom, the last thing before going to bed, to kiss his little daughters, his only children, (one three, the other six years of age) who had slept with his housekeeper ever since the decease of Mrs. Brereton. The housekeeper, in consequence, never went to bed until the Colonel had paid the usual parental visit to his children. On Friday morning, however, Colonel Brereton did not go into the children's room, and the housekeeper, shortly after he had entered his own apartment, heard the report

of a pistol. She immediately went into her master's room, and found him extended on his bed, and quite dead! *He had shot himself through the heart with a pistol, which he had put to his side with his left hand!* The hand which had committed the fatal deed remained in nearly the position it must have taken to fire; the right hand was lying by his side; he had taken off his coat, waistcoat and boots, and this circumstance seems to indicate that the fit of mental agony and distraction which prompted him to commit suicide was very sudden, and instantly acted upon.

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#### THE COURT-MARTIAL.

The Court met on Friday morning at the usual hour, and evidence having been given that the Prisoner was dead, Sir CHAS. DALBIAC addressed a few sentences to the Court, in the course of which he said, "If the intelligence of the tragical event which has just occurred has caused pain to this honourable Court, how much more deeply must it have afflicted the individual who has had to sustain the arduous task of being the prosecutor of Lieut.-Colonel Brereton! I rise, gentlemen, under feelings of greater embarrassment than I ever experienced in the whole course of my life. I have, however, one consolation, and that is indeed a great one. I declared to you in my opening address, that I entered this Court without the slightest tinge of personal prejudice towards the prisoner, and I now repeat that assertion, as I would before my God. I knew him not, nor did I even know his person, until the 17th of Nov. last, when I was ordered to preside in this room over a Court of Enquiry, appointed to investigate the causes of the Bristol Riots. I was sent here at the suit—I may say the command—of my King, whose commission I have the honor to bear, as the Prosecutor of Lieut.-Col. Brereton; and if it had been my duty to appear in a similar manner against my personal friend or my brother officer, I should have pursued the same course as I have adopted towards the unfortunate prisoner who is now no more."

The **PRESIDENT** observed, he was expressing the conviction of the Court when he said that the manner in which Sir Charles Dalbiac had conducted the prosecution was most honourable to him, and that no proceeding could have been accompanied with less of acrimony or personal hostility.

The Court was then cleared, and an Officer was afterwards dispatched to the Commander-in-Chief, with information of the event which had put a stop to the proceedings.

**COURT-MARTIAL ON CAPT. WARRINGTON,***Of the 3rd Dragoon Guards.*

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The sudden death of Lieut.-Colonel Brereton having interrupted the investigation into the conduct of the Military during the Riots, the Commander-in-Chief directed a Court-Martial to be held on Capt. Warrington, who was in command of a troop of the 3rd Dragoon Guards on that important occasion.

The Court was composed of the same Officers as on the trial of Colonel Brereton, and was held at the same place. Major-General Sir CHARLES DALBEAC was again the Prosecutor. The proceedings commenced on Tuesday the 17th Jan. when the following Charges were exhibited against the Prisoner :—

I.—That he, Captain Warrington, being on the night of Sunday, the 30th of October, 1831, in the personal command of a troop of the 3rd regiment of dragoon guards in the city of Bristol, at a time when that city was the scene of most outrageous and alarming riots,—insomuch that the said troop had been repeatedly called out by order of the Magistrates to quell the rioters, and at a time when several public and other buildings in the said city had been fired by the rioters, some whereof were already consumed, and others were still in flames ; and at a time when by reason of the circumstances aforesaid, it was peculiarly necessary that the said troop, being then the only military force in Bristol, should act in the most prompt and effectual manner for the protection of the city, and that he, Captain Warrington, as the commander of the same, should use every exertion for that purpose, subject to the orders of Lieut.-Colonel Brereton, who then held the chief military command in the city ; and when it therefore behoved the said Capt. Warrington to forward instantly and without delay to the said Lieut.-Brereton, every requisition that might be made, or intelligence that might be conveyed to him, Captain Warrington, or to the quarters of the said troop, calling for the services of the said troop in the city, or shewing the same to be necessary ; nevertheless he, Captain Warrington, being, between eleven and twelve o'clock on the said Sunday night, applied to at the said quarters, where he was in command, by Mr. Thomas Kington, a merchant in Bristol, and informed by him, as the fact was, that the rioters were about to fire the Custom-house of Bristol, and that the presence and services of the troop were

urgently and immediately required in Queen-square, where the Custom-house then stood, in order to save that building, or to that effect, did not only refuse to order out the said troop, or any part thereof, or to take any step for the purpose so stated, but used no means of conveying the information so received by him, or the purport thereof, to the said Lieut.-Col. Brereton, or of obtaining from the said Lieut.-Col. Brereton any orders applicable to the occasion : the said Capt. Warrington thereby, as far as in him lay, leaving the said Custom-house at the mercy of the rioters, by whom in fact the same was shortly afterwards set on fire and totally destroyed.

II.—For that afterwards, that is on Monday morning, the 31st Oct., 1831, he, Capt. Warrington, being, as before, in the personal command of the said troop of the 3rd dragoon guards, then the only military force in Bristol, and when the riots were raging in that city with increased and destructive violence, a letter being, about half-past three o'clock on the said morning, delivered to, and left with, the said Capt. Warrington at the quarters of the said troop, where he was then in command, which letter was from C. Pinney, Esq., the Mayor of Bristol, and was addressed to Lieut.-Col. Brereton, or the Officer "commanding his Majesty's troops."—[The letter was here recited.]

—And he, Capt. Warrington, having then read the said letter, and it being thereupon his bounden duty either to act on the said letter without delay, or if his orders did not allow of his so doing, then in that case immediately to transmit the said letter or to communicate the contents or purport thereof to the said Lieut.-Col. Brereton ; nevertheless he, Captain Warrington, neither acted on the said letter as aforesaid, nor transmitted or communicated the same, or the contents or purport thereof to Lieut.-Col. Brereton, but on the contrary retained such letter in his possession, without taking any step whatever in reference to, or in consequence of, the same, until some time afterwards, when he was applied to by a Magistrate in person ; by reason of which conduct on the part of him, Capt. Warrington, the said troop remained inactive in its quarters for upwards of an hour after his receiving the said letter ; during which interval of time the rioters being left without opposition or control, sacked and fired several houses, and destroyed a great amount of other property.

III.—For that during the said 30th and 31st of October, 1831, while the said rioters were perpetrating acts of gross and increasing outrage in the city of Bristol, so that the said city for many successive hours appeared in imminent danger of destruction, at periods when it was peculiarly important that the said troop of the 3rd Dragoon Guards, being then the only military force in the city, should be commanded and directed in the most efficient manner, for the protection of the city under every emergency that might arise, and when for that purpose it was necessary that the said Capt. Warrington, he being the only commissioned officer in Bristol with the said troop, excepting a young Cornet of not more than sixteen months' service in the

army, should constantly remain at or within immediate call of the quarters of the said troop, while the troop continued there, in order to superintend and direct any movement required of it, and that in case of the troop or any detachment thereof being ordered out to meet and put down the rioters, he, Captain Warrington, should himself accompany and command the same, and that he, Capt. Warrington, should at every moment be ready and on the alert for the performance of the said services: nevertheless he, Capt. Warrington, greatly neglected or violated his duty in the said several respects, and especially in the following instances:—

1st.—In that he, the said Capt. Warrington, at or about four o'clock in the afternoon of the said 30th of Oct., when a detachment of the said troop, consisting of two-thirds, or thereabouts, of the disposable part thereof, was ordered out to the city gaol, which was then attacked and threatened with destruction by the rioters, permitted such detachment to march to that service under the sole command of the said Cornet—he, the said Capt. Warrington, meanwhile remaining inactive in quarters.

2dly.—In that the said Capt. Warrington did afterwards, in the course of the said 30th of Oct., the troop having been in its quarters, altogether absent himself from the said quarters, and from the neighbourhood thereof; and remained absent from the same for a very considerable time, during which time, namely, at or about eight o'clock in the evening, a detachment of the troop, consisting of nearly the whole of the disposable part thereof, being called out to protect the palace of the Bishop of Bristol from a violent attack made thereon by the rioters—such detachment proceeded to the said palace under the command of one troop officer only, being the young Cornet before mentioned.

3dly.—In that he, Capt. Warrington, having returned to the said quarters, during the absence of the detachment on the said service, he in place of thereupon proceeding to join the same, or of waiting its return, did, before the return of the detachment to quarters, which was about 10 o'clock the same evening, retire to his bed.

Lastly.—In that he, Capt. Warrington, between four and five o'clock in the morning of the said 31st of October, when a detachment of the troop, consisting of about two-thirds of the disposable part thereof, was again called out to stop the progress of the rioters in destroying the buildings in Queen-square, did again permit the said detachment to proceed on such service, under the sole command of the said young Cornet, while he, the said Captain, himself remained in quarters.

Such conduct as aforesaid, on the part of the said Captain Warrington, evincing a want of the vigour and activity requisite in the situation in which he was placed, being highly unbecoming and disgraceful to his character as an officer, and calculated to bring dishonour on his Majesty's service.

The President, Sir HENRY FANE, expressed his readiness to afford every possible accommodation to Capt. Warrington, and requested to know when he would be ready to meet the Charges. Capt. Warrington named the 25th, when, he trusted, he should be enabled to bring forward evidence to justify his conduct, notwithstanding the melancholy event of the death of Lieutenant-Colonel Brereton, which had deprived him of the principal evidence in his favour.

*Second Day—Wednesday, Jan. 25, 1832.*

The Court having met this day pursuant to adjournment, the Charges were then read over *seriatim* to Captain Warrington, who pleaded to each *Not Guilty*.

Sir CHARLES DALBIAC then rose, and in a manner evincing, when he had occasion to allude to the unhappy termination of the previous Court Martial on Colonel Brereton, considerable feeling and emotion, delivered the following address:—

“ Mr. President, and the Members of this Honorable Court,—It is with feelings of an afflictive nature that I present myself for the second time before a General Court Martial in the character of a public prosecutor. I appear at the suit of the King, to conduct the prosecution in the trial of Capt. Warrington, the prisoner at your bar. I say it is with feelings of an afflictive nature that I find myself once more engaged in this most invidious line of duty; nor is there, I am persuaded, a single member of the Court who will affirm that this expression is too strong for the occasion. The office which I have to sustain is attended, at all times, and under any circumstances, with infinite pain and embarrassment. What then must it be when carried on, as it were, under the very shadow of that awful catastrophe, with which all who now hear me, scarcely less than the Prosecutor in this trial, have been so recently and so painfully affected? What must it be, when every step we take, every witness we examine, every fact we touch upon, *may*, peradventure, call up the remembrance of events, which, as connected with the proceedings of a former Court, every generous heart would willingly

consign to oblivion? And yet under these overwhelming recollections, my duty calls upon me to proceed right onward. I must tread the very same ground which is stamped with images of sadness; I must *inevitably* revert, at times, to those very proceedings which have been brought to so calamitous and so tragical a termination. I need hardly add, however, that my own feelings will irresistibly prompt me, throughout this trial, to spare the Court, the public, and myself, but especially those who through friendship or consanguinity, are more intimately concerned, the pain of any reference to a general Court Martial recently held within this Hall, whenever the course of our proceedings will, by *possibility*, enable me to abstain from it.

“ But I will dwell no longer on the emotions which oppress me, under this renewed demand upon my exertions, well assured that they must be fully understood by every member of the present Court. I will address myself at once to the task which lies before me, forming as it does a series of painful but unavoidable duties, closely connected with each other. The nature of this connexion, with respect to the present case, will be best understood from a brief detail of the circumstances which have led to the trial of Capt. Warrington, as well as to my being commanded to conduct the prosecution; which circumstances I will accordingly submit for the information of the Court.

“ Gen. Lord Hill had commanded a Court of Enquiry to assemble at Bristol, on the 17th November, to investigate the conduct of the Officer who held the command of the troops, during the unfortunate occurrences which took place in this city on the 29th, 30th, and 31st Oct.; which Court was composed of the following Officers:—President: Major-General Sir C. Dalbiac; Members: Col. Sir E. Miles, 89th regiment; Col. Ferguson, 52d Light Infantry; Lieut.-Col. Lord Loughborough, 9th Lancers; Major Walcot, Royal Horse Artillery.

“ Capt. Warrington’s Troop of the 3rd Dragoon Guards had formed a part of the force which was placed at the disposal of the Municipal Authorities of Bristol, upon the occasion above referred to, Capt. Warrington being himself in command of the troop; his evidence, therefore, was deemed essential to the investigation, to

which the proceedings of the Court of Inquiry had been directed—and he was accordingly instructed to repair to Bristol, to attend the Court, when it assembled in this Hall on the 17th of November.

“ Previous, however, to the examination of Captain Warrington, the Court was in possession of other evidence, touching the events of the last three days of Oct., which appeared (in the Court’s opinion) to reflect, in a serious manner, upon the conduct of Captain Warrington ; and the Court came to the decision, that it was out of their power to receive his evidence ; lest, in many very important points, upon which that evidence had been deemed essential, his replies to questions, to be put by the Court, might implicate his own conduct. A minute to that effect was entered upon the proceedings.

Captain Warrington was required to attend in Court ; the minute which had been entered upon the proceedings was read to him, and he was informed of the circumstances which had led to the Court’s decision. Capt. Warrington very properly addressed a communication on the subject, to the Commanding Officer of his regiment, and, with equal propriety, submitted to the Adjutant-General, for the consideration of General Lord Hill, a request that his conduct might undergo investigation. This request of Captain Warrington accompanied a report, explanatory of the circumstances, which (as President of the Court of Inquiry) I forwarded to the Adjutant-General, to be laid before the General Commanding in Chief.

“ An investigation, however, before a Court of Inquiry, could afford no further information, relative to Capt. Warrington’s case, than what had already been recorded in the proceedings of the Court then sitting. The General Commanding in Chief directed, therefore, that Capt. Warrington’s case should be submitted to the decision of a General Court Martial.

“ Such are the circumstances under which Captain Warrington has now to answer before you, to the charges which have been preferred against him. With respect to the general character of those charges, the collective judgment of this Court will form a far more correct estimate than any I could presume to submit.

“ It is also unnecessary that I should go into any

detail of the circumstances upon which each particular charge is grounded. There is no lengthened chain of incidents to unite—no intricate thread of events to unravel. Conviction upon each charge may be said to rest, for the most part, upon the mere proof of certain alleged and distinct facts: according to the completion of which proof, or otherwise, the Court will have to pronounce.

“ There are two or three points, however, which bear upon the charges generally, to which it may be as well to allude at the present moment, although they will be brought out separately in the course of the evidence to be produced.

“ I wish the Court to bear in mind that the quarters of Capt. Warrington’s troop, during the Bristol Riots, were at Leigh’s Bazaar—Capt. Warrington’s own quarters being nearly contiguous thereto, at Reeve’s Hotel. From these quarters the Bishop’s Palace, the Recruiting Office in College-green, and No. 2, in Unity-street, (in which the Officer then commanding in Bristol resided) are severally distant about 200 yards. Berkeley-square (whence the Mayor dispatched a letter to the Officer commanding His Majesty’s troops, at three o’clock in the morning of the 31st of October) is distant from the said quarters about 350 or 400 yards, and Queen-square (in which stood the Custom-house, and where the great destruction of property took place) about half a mile, a trifle more or less.

“ It is necessary I should remind the Court, that a portion of the testimony to be produced will relate to facts and circumstances which occurred during a period of extreme disorder and alarm. Some discrepancies in that testimony, as far as relates to questions of time, and certain other subordinate matters, must consequently be expected; but I do not apprehend any difficulty whatever in reconciling these slight disagreements, as to every essential point.

“ I have also to express my desire, and in so doing I beg to be understood as speaking with the most perfect sincerity, that whenever in the course of these proceedings, a doubtful point may arise, whether as to the admission or effect of evidence, or any other matter whatever, such doubt may never be turned to the dis-

advantage of the party accused, but that, on the contrary, the decision of the Court, in all such instances, may invariably be in favour of the prisoner.

“ Having thus submitted to the Court the circumstances which have brought the prisoner before them, as well as a few observations with respect to the evidence to be produced, I have to solicit the attention of the Court to a few words respecting my own personal acquaintance with Capt. Warrington, and my own personal feelings towards him. My acquaintance, indeed, is one of no long standing, or of close intimacy. We were brought together by a single occasion of professional duty; which was the only opportunity ever afforded me of acquiring any knowledge of the prisoner, prior to the assembly of the Court of Enquiry in this Hall on the 17th of November last. It will, therefore, hardly be suspected that I can be under the influence of any deep or overpowering solicitude concerning Captain Warrington as an individual; and yet, in truth, I should be conscious of something little short of downright hypocrisy, were I to affirm that my own feelings on this occasion are absolutely neutral. Captain Warrington belongs to that particular branch of our military service, to which I have been devoted through a long professional life of almost forty years; Captain Warrington is attached to that particular portion of the British army over which, by the most gracious favour and confidence of His Majesty, I hold a proud, a distinguished, a comprehensive superintendence, as the Inspecting General of the Cavalry of Great Britain. I may, therefore, with strict propriety, regard Captain Warrington as an officer under my own immediate command. Furthermore, Capt. Warrington belongs to that particular regiment, which was brigaded with my own corps, the 4th Dragoons, when I had the good fortune, for the first time in my life, to draw my sword against the common enemy of Europe, in the field of Talavera, under the auspices of that gallant General who presides over this Court. Now, THERE CANNOT BE A MEMBER OF THIS HONOURABLE COURT BUT MUST HAVE FELT THE MAGIC OF THAT SYMPATHY WHICH BINDS THOSE CORPS WHICH HAVE FOUGHT AND CONQUERED TOGETHER, AS IT WERE, IN A

**BOND OF SACRED BROTHERHOOD.** I would fain appeal, therefore, to the gallant General—I would fain appeal to the gallant Officers who compose this Court—is it likely, is it natural, is it possible, that I should look with indifference towards the issue of an investigation which involves the honour of that distinguished corps, or of any individual belonging to it? Honestly and distinctly do I declare, that my own personal inclination is in favor of the prisoner at your bar.

“ In making this frank avowal, however, it cannot surely be needful that I should employ many words to protect myself against perversion or misconstruction. It will not for a moment, I trust, be suspected that my regard for the honor of a distinguished corps, or of any individual attached to it, will cause me to halt in the straight, though rugged, path of duty.

“ If I openly confess that feelings of solicitude for the prisoner are lurking in my own breast, what is this confession but a public pledge to guard myself against their secret influence, with the most jealous vigilance? What is it, but to call down upon my own proceedings the most watchful and rigorous control on the part of those who are to pronounce judgment between the King and the prisoner? What is it, but to invite the strict attention of the service at large, to every step I take in this trial? What is it, but to bring to the severest test, the sincerity and the truth of my own professions, when I declare, that my duty to my Sovereign is paramount to all other interests and feelings?

“ I have said that the honor of this corps is dear and valuable to me. But in saying this, do I not bind myself in the most solemn form, to preserve that honour, unsuspected and unsullied; and to bring down the weighty arm of justice on all whose conduct may have fixed a stain upon it? And, in adverting to the high and honourable post to which the gracious favor of my King has raised me, what have I done but proclaim the exceeding weight of my own responsibility? I should be a traitor to the noble service thus entrusted to my superintendence, if every feeling and every faculty of mine were not ardently engaged in the preservation of its welfare and efficiency—**AND OF ITS WELFARE AND EFFICIENCY ITS HONOR IS THE VERY LIFE AND**

**SOUL.** In committing to my charge the interior economy and discipline of the British Cavalry, his Majesty has, in a most especial manner, constituted me one of the guardians of ITS REPUTATION ; IN WHICH (FAR MORE EMINENTLY THAN ITS NUMBERS OR ITS SUBORDINATE DETAILS) LIES THE REAL SECRET OF ITS GLORY AND ITS FORCE.

“ In conformity with these views of my duty, I feel myself compelled to declare that (whatever may be my personal prepossessions in favour of the prisoner) I shall have to press him home with evidence, which, if not most effectually repelled, must bring down punishment and dishonour on his head. I must not shrink from proclaiming, that unless the materials in my possession turn out deceitful indeed, his conduct during the recent calamitous disorders must be pronounced utterly indefensible. What the resources are, on which the prisoner may rely for his vindication, I have no means whatever to anticipate. I can, therefore, only declare that I shall deeply rejoice if my apprehensions on his behalf should, upon investigation, appear to be unfounded. It will be no mean relief to my mind, if he should succeed in bringing forward facts or circumstances that can materially extenuate the accusation which has been preferred against him ; and my gratification will be great indeed, should he be able to turn the accusation altogether aside, and to come forth from this conflict with an honourable and a complete acquittal.

“ I have now only to submit, for the approval of the Court, no less for the sake of expedition than of perspicuity, that each charge shall be dealt with separately, and in rotation as preferred against the prisoner. I purpose, therefore, to complete the evidence in support of one charge, before another charge shall be brought under consideration, and to announce to the Court when the evidence in support of each named charge shall have closed. Should this mode of arranging the evidence on the part of the prosecution accord with the views of the Court, I will now proceed to call evidence in support of the first charge.”

The PRESIDENT signified the acquiescence of the Court to the mode of proceeding suggested by the Prosecutor. The following witnesses were then called and examined :—

*Sergeant-Major MARTIN, 3rd Dragoon Guards.*

Were you on duty with Capt. Warrington's troop of the 3rd Dragoon Guards in Bristol, on the 30th and 31st of October last?—I was.

What officers were then present with the troop, and who commanded them?—The troop was under the immediate command of Capt. Warrington; Cornet Kelson commanded them.

What number of non-commissioned officers and men were mounted and effective with the troop in Bristol?—Thirty-three men and horses.

Where were the quarters of the troop and where the quarters of the officers during those two days; and were the officers' quarters contiguous to those of the troop?—The quarters of the troop were at Leigh's Bazaar; the quarters of the officers at Reeve's Hotel; they were contiguous to each other.

Was Capt. Warrington's troop, or were detachments of that troop, called out repeatedly in the course of Sunday, the 30th of October to quell the riots?—Yes.

At what hour did the detachment of the troop which had been on duty that night at the Bishop's Palace and at the Mansion-house, return to its quarters?—I cannot say precisely, but to the best of my knowledge it was about nine o'clock.

At about what hour did the troop next turn out mounted—where did it first form on parade—and by whom was it commanded?—The troop next turned out about twelve o'clock that night, formed on the road leading to Leigh's Bazaar, and was commanded by Capt. Warrington.

Did the whole troop then turn out—what duty did it perform—and when did it return to its quarters?—The whole of that part of the troop then in quarters turned out, marched down to the front of Reeve's Hotel, halted a few moments, and then returned to quarters.

Without reference to a patrol of four men sent to the Guild-hall, upon what occasion did the troop or a part of it next turn out, mounted on duty?—About two-thirds of the troop turned out about four in the morning.

For what duty did it turn out?—To quell a riot then existing in Queen-square.

Was any non-commissioned officer or man sent by Captain Warrington or by Cornet Kelson, to your knowledge, to look for the officer commanding the troop, between the hours of half-past ten on Sunday night, the 30th of October, and half-past four on the morning of the 31st?—No.

[Capt. Warrington declined to cross-examine.]

*Cornet KELSON, 3rd Dragoon Guards, examined.*

Were you in command of a detachment of Capt. Warrington's troop between eight and ten on Sunday night, the 30th of October?—I was.

State as nearly as you can at what hour that detachment returned to its quarters at the Horse-Bazaar?—About half-past nine or a quarter before ten.

At about what hour did the troop next turn out mounted, where did it first form on parade, and who commanded it?—The troop next turned out about a quarter before eleven, formed in front of Reeve's Hotel, and Captain Warrington commanded it.

What duty did it perform, and when did it return to its quarters?—It remained in front of Reeve's Hotel a few minutes, and then filed into its stables.

Upon what occasion did the troop or part of it next turn out mounted for duty, not adverting to a Corporal and four men sent to the Guildhall?—Part of the troop turned out mounted for duty about four o'clock on Monday morning to proceed to Queen-square.

Are you certain it was no later than four o'clock when the troop so turned out to proceed to Queen-square?—To the best of my knowledge that was about the time.

*Cross-examined by Capt. WARRINGTON.*

Were you not ordered first to go to College-green, where you would meet a Magistrate to accompany you?—I was.

Did any Magistrate meet or accompany you when you got there?—None.

By whose orders did you go from College-green to Queen-square?—I went from College-green to Queen-square under the personal command of Col. Brereton.

Sir C. DALBIAC submitted that this referred to the third charge only.

The PRESIDENT observed that the evidence previously adduced did not seem to affect the pith of the first charge.

Sir C. DALBIAC had no objection to the course pursued by Capt. Warrington, but it was necessary for form's sake to establish the fact of riots existing in Bristol. His only object was the connection of the evidence as it affected the respective charges. The evidence already adduced was as to the last duty performed by the troop on Sunday night; he had not yet touched on the duty performed on Sunday morning.

*By the COURT.*

You say you went from College-green to Queen-square under the personal command of Col. Brereton. By whose orders did you go from Leigh's bazaar to College-green?—By order of Capt. Warrington.

Wat was the hour at which you were ordered to College-green to meet a Magistrate?—Shortly after 4 in the morning.

*T. KINGSTON, Esq. merchant, examined.*

Did you in the course of Sunday night, the 30th Oct. apply to any military person for the assistance of the troops?—I applied to Capt. Warrington at the Horse Bazaar, on Sunday night, between ten and half-past ten, for the assistance of his troop; I represented to him the state of Queen-square, and earnestly requested him to bring his troop down to the Square for the purpose of saving the Custom-house from the flames. I

found Capt. Warrington mounted, with the greater part if not the whole of his troop. His reply to my application was, "I should be most happy and willing to go, but I cannot march my troop without the order of Col. Brereton." I have some indistinct recollection of Capt. Warrington having said something about a magistrate. I then asked him if the particular circumstances of the case would not justify a departure from general rules, and whether he would not accede to my request. His reply was, "I cannot move without the orders of Colonel Brereton." My next question was, "where is Col. Brereton to be found?" He replied, "I cannot tell," or words to that effect.

Was your calculation as to the time you have specified made shortly after the Bristol Riots, or only within the last few days?—Only within the few last days.

Did Capt. Warrington in consequence of your application, send any soldier with you to endeavour to find the officer commanding in Bristol?—He did not.

At what hour did you return to Queen-square?—I think it must have been shortly before eleven.

Was the Custom-house set on fire and totally destroyed after you applied to Capt. Warrington for the assistance of the troops?—It was.

*Cross-examined.*

Are you satisfied, from the information you have received within the last few days, as to the time at which you called on Capt. Warrington for assistance on Sunday evening, and the circumstance brought to your mind, that it is correct?—The information is the result of minute inquiry, and I believe it to be correct.

Do you recollect whether Capt. Warrington asked you if you were a Magistrate?—I think he did.

What answer did you give?—My recollection, as I have stated before, is very indistinct on this part of the business. No doubt I answered his question; and I must have told him I was not a City Magistrate.

Did not Capt. Warrington appear most anxious for orders to turn out?—I think he did.

Did Capt. Warrington show a willingness to act, if he had orders?—Undoubtedly he did.

*By the COURT.*

Had you any official authority connected with your application for military aid, or did you apply as an individual?—I applied as an individual.

Did Capt. Warrington distinctly refuse to move with his troop, or did he merely excuse himself on the ground of awaiting the orders of Col. Brereton?—I can only repeat that he said he should not move without the express order of Colonel Brereton, or something to that effect.

Do you remember whether Capt. Warrington said he could not or should not?—I think I should be correct in stating that Capt. Warrington said could not.

*RICHARD STEVENS examined.*

Did you meet Mr. Thomas Kington on Sunday night, the 30th of October during the riots in Bristol; if so, state at about what hour?—I met him at about half-past ten.

Did you accompany him any where to look for the troops; if so, state to what place?—I did, to College-green, to the Bishop's palace, and to the Boar's Head yard.

Was the troop of the 3d dragoon guards mounted, and where was it formed, when you reached the Boar's Head yard?—They were mounted, and formed in the street in front of the yard.

Relate the conversation which passed in your hearing between Mr. Kington and the officer who commanded the troop?—Mr. Kington informed the Captain of the situation of Queen-square, and also that the rioters were then near the Custom-house; Mr. Kington informed the Captain the services of the troop were requisite: the Captain said he could not go without orders from the Colonel or a Magistrate.

Did Capt. Warrington send any soldier with Mr. Kington or you, to endeavour to find the officer commanding in Bristol?—No. (The witness was not cross-examined.)

*Lieut. FRANCIS, of the Recruiting Staff, examined.*

Did you, between ten o'clock on Sunday night, the 30th of Oct. and half-past four on Monday morning the 31st, receive, either at the Recruiting-Office, or at your own quarters in Unity-street, any dispatch, letter, or message, from any officer or other person of the 3d dragoon guards for the officer commanding in Bristol?—I did not.

Was the troop of the 3d dragoon guards, or were part of that troop, called out repeatedly on Sunday the 30th Oct. to quell the riots?—They were; and I went myself about eight at night to call for the troop for the protection of the palace.

*Cross-examined.*

Where were you at ten o'clock on the night of Sunday the 30th of October?—I was at the office, or out reconnoitring.

[How do you know that no dispatch was received at the office between ten on Sunday night and half-past four on Sunday morning?]

Sir C. DALBIAC said the question put to the witness in the examination in chief was, whether he received any dispatch.]

Could Col. Brereton have received any dispatch on that night between the hours stated, without your knowledge?—He might.

Was not the office in College-green considered to be the public office for receiving all communications for Col. Brereton; and was it not kept open for that purpose the whole of Sunday night and Monday morning?—It was.

Were not the Magistrates aware of this circumstance?—I do not know, but I consider they were.

Were not the Magistrates in the habit of sending messages to the District Office during the riots?—They were.

When you say that you were sent, about half-past eight on Sunday night, for some of the 3rd dragoon guards, was your order for a detachment or for the whole troop, and was the order in writing?—It was a verbal order for the troop to come to the protection of the palace.

Did you not generally receive verbal orders from Colonel Brereton during the riots?—I did.

*By the Court.*

Did you convey any orders from the late Commanding Officer of Bristol to Capt. Warrington, not to move from his quarters without orders having been sent or given to Capt. Warrington? I do not recollect conveying such orders, nor am I aware of any such being given.

Did you see Capt. Warrington at the head of his troop at any time during the evening or night of the 30th Oct.?—I don't recollect seeing him at the head of his troop.

Did you see the troop either on parade or in action during that night?—I saw them under the command of Cornet Kelson almost immediately after they had received the order to march to the palace.

Was Col. Brereton with the party on this occasion?—He was.

*Sergeant-Major W. M'LEOD examined,*

Were you in attendance at the Recruiting-Office during any period between half-past ten on the night of Sunday the 30th Oct. and half-past four on the morning of the 31st?—I was in attendance from eleven at night till half-past two in the morning. Sergeants Dinidge and Platts were present, except for a short period, when they went to Col. Brereton's quarters about billets.

While you and Sergeant Platts were in attendance at the Recruiting-Office, did any dispatch, letter, or message come from any officer or other person of the 3rd dragoon guards, for the officer commanding the troops in Bristol?—None to my knowledge.

What Sergeant did you find at the Recruiting-Office when you arrived there at eleven o'clock?—Sergeant Dinidge.

When you left the office at half-past two in the morning who accompanied you, and what Sergeant did you leave at the Recruiting office?—Sergeant Platts accompanied me, and I left Sergeant Dinidge at the office.

Were you at the Recruiting Office, at the time the Dodington troop of Yeomanry Cavalry reported its arrival to the Officer commanding in Bristol, on the night of Sunday, the 30th of October?—I was.

At what time was the arrival of the Dodington troop so reported?—The troop arrived in front of the office about eleven o'clock.

The PRESIDENT objected to the question next proposed, as affecting the conduct of Colonel Brereton and the Officer commanding the Dodington troop, as he did not see what this had to do with Captain Warrington.

Sir C. DALBIAC said he had not the slightest wish to reflect on the conduct of Col. Brereton, or the Captain of the Dodington troop. The accusation laid in one part of the charge was a refusal to order out the troop, and that Capt. Warrington used no means to obtain orders from Col. Brereton. If, therefore, he (Sir Charles) had it in his power to show that Colonel Brereton was for three quarters of an hour within 200 yards of Leigh's Bazaar, the question would arise, did Capt. W. use those means to find the commanding officer which he ought.

The Court was then cleared to consider the question proposed by the Prosecutor. On the re-opening of the Court, the President said the evidence proposed would tend to negative that part of the first charge which said the 3rd dragoon guards was the only military force in Bristol. The Court suggested another mode of putting the question.

Sir C. DALBIAC consented, and said his object might have been arrived at in a much more judicious manner than he had put it.

*Sergeant-Major M'LEOD, re-called.*

Do you know that the Officer commanding the troops in Bristol was in and out and about the Recruiting Office and College-green, for half an hour or thereabouts, on matters of duty, from the time of your reaching the office about 11 o'clock on Sunday night?—Col. Brereton was not in the office, but he was in and about College-green for about half an hour.

Was not a part of the said time so occupied by the Officer commanding in Bristol employed immediately in front of the Recruiting Office?—Yes, a small portion of it.

*Cross-examined.*

Was the Officer, commanding the troops, when in and about the Recruiting Office, in plain clothes or in uniform?—In uniform.

Did any person in plain clothes call at the recruiting office between 11 at night and half-past 2 in the morning, to enquire for Col. Brereton; and if so, how many?—There were a good many; I can't say how many.

*Staff-Sergeant PLATT examined.*

Were you in attendance at the Recruiting Office during any part of the period between 9 o'clock on Sunday night, the 30th Oct. and half-past 4 on Monday morning, the 31st; if so, state with whom and during how much of that time?—I was at the office, with Sergeant-Major M'Leod and Sergeant Dinidge for the principal part of the time until half-past 2, but I occasionally left the office.

Upon what occasion did you leave the office during the aforesaid period, and what Sergeant did you leave in attendance at the office?—I left the office on the first occasion to take refreshment, leaving behind me Sergeant Dinidge; on the second occasion between 12 and 1, I went with Sergeant Dinidge with a letter and a blank precept for Col. Brereton; I left Sergeant-Major M'Leod at the office.

When you left the office finally at half-past 2 Monday morning, 31st Oct., what Sergeant did you leave in attendance?—  
Sergeant Dinidge.

When you and Sergeant-Major M'Leod were in attendance at the Recruiting-Office, did any dispatch, letter, or message, come from any officer or other person of the 3rd dragoon guards for the officer commanding the troops in Bristol?—Not that I am aware of.

*Staff-Sergeant DINIDGE, examined.*

Were you in attendance at the Recruiting-Office at any period between nine o'clock on Sunday evening the 30th Oct., and half-past four on Monday morning the 31st?—I was, from about nine in the evening till about half-past two, at different periods, and from half-past two till nine in the morning I was constantly there.

During the whole of that period were you in attendance at those times when Sergeant-Major M'Leod, or Sergeant Platts, or both of them, were absent?—I was not. I was frequently sent out by Col. Brereton on messages, and there might not be either of those persons left in the office.

Did you ever leave the office during the aforesaid period without leaving either Sergeant M'Leod or Sergeant Platts at the office?—Not to my knowledge.

### THIRD DAY—Thursday, Jan. 28.

*Sergeant DINIDGE's examination resumed.*

While you were in attendance at the Recruiting Office, did any letter or message come from any officer, or other person of the 3rd dragoon guards, for the officer commanding the troops in Bristol?—No.

To your knowledge, was Col. Brereton ever inside the Recruiting Office between half-past 10 on Sunday night 30th, and half-past two Monday morning, 31st Oct.?—Not within, but in the court.

Do you know that the officer commanding the troops in Bristol was engaged in duty in the immediate neighbourhood of the Recruiting Office and about College-green for about half an hour sometime between half-past 10 and 12 o'clock on Sunday night?—He was.

How far is it from Leigh's bazaar to the Bishop's palace?—About 200 yards.

How far is it to the Recruiting Office?—Nearly about the same.

How far is it to No. 2, Unity-street?—About 180 yards.

Is not the direct road from Reeve's hotel and Leigh's bazaar, to the Recruiting Office, and to the Bishop's palace, through College-green?—Along one side of it.

Did you not, between 12 and 1 o'clock on Sunday night 30th Oct., convey to the quarters of the officer commanding in Bristol, an official dispatch, which was delivered for him at the Recruiting Office?—I did. I delivered a dispatch to Col. Brereton, which I received for the Colonel, at the door of his quarters.

Did you not consider it to be the especial duty, for which you and the other Sergeants were retained at the office during the night of 30th and morning of 31st Oct., to convey to the officer commanding the troops any letter, or official reference to him that might be left at, or addressed to him at, the office? —Yes.

*Cross-examined.*

Can you state positively that you never quitted the office between the hours of 9 o'clock at night and 2 the next morning while Sergeants M'Leod and Platts were both absent? —I cannot say positively.

Did the person who delivered to you the dispatch at the door of the commanding officer, state from whom he brought that dispatch; if so, be so good as to inform the Court? —He stated he brought it from the Mayor, and desired it might be delivered to Col. Brereton as soon as he could be found.

At what hour was that dispatch delivered to you? —Between twelve and one.

*By the Court.*

Did you see Capt. Warrington during the night of Sunday 30th Oct.? —Not to my knowledge.

*Troop Sergeant-Major J. ALLEN, 14th Dragoon Guards, examined on 1st Charge.*

Were you on duty with a squadron of 14th dragoons in this city, during part of the riots on 29th, 30th, and 31st Oct. last? —Yes.

During what period was the squadron absent from the city during 30th and 31st Oct.? —From half-past 12 Sunday morning till about half-past 9 on Monday morning.

*Mr. J. FISHER, Repository, examined on 1st Charge.*

Did the commanding officer of the troops in Bristol call at your repository relative to the accommodation of some troops, at any time between half-past 10 and 12 o'clock on Sunday night 30th Oct.? —Yes.

How long did he remain in and about your repository? —From 10 to 20 minutes.

Can you state whether he was engaged in matters relative to the troops in or about College-green previously to his coming to the repository; if so, state how long? —He was so engaged: I should think from 20 minutes to half an hour.

How far is your repository from Reeve's hotel and from Leigh's bazaar? —About 150 yards from the hotel, and about 200 from the bazaar.

Sir C. DALBIAC announced that the evidence on the first charge was closed.

*C. PINNEY, Esq. Mayor, examined on 2nd Charge.*

Did you send a letter early on Monday morning 31st Oct., addressed to Col. Brereton or to the officer commanding his Majesty's troops? —I did.

Was that letter under your own signature? —It was.

If you have a copy of that letter be pleased to lay it before the Court ; if not, please to relate the contents of it ?—The purport is this (read from a copy).

“ Bristol, 3 o'clock, Monday morning, 31st Oct., 1831.

“ Sir,—I direct you as Commanding Officer of his Majesty's troops, to take the most vigorous, effective, and decisive measures in your power to quell the existing riot, and prevent further destruction of property.

I am, &c.

“ CHARLES PINNEY.”

It was in my own hand writing.

Be pleased to state as nearly as you can, the exact time in the morning when that letter was dispatched, and from what house ?—At 3 o'clock on Monday morning, from Mr. Daniel Fripp's in Berkeley-square.

Through whose hands was it dispatched ?—Mr. Goldney and Mr. Harris, jun.

*Cross-examined.*

Is Mr. D. Fripp a Magistrate of this city ?—No : but he is a relative to Mr. Alderman Fripp, who was with me at the time.

Does his relation, who is a Magistrate, reside at Mr. D. Fripp's house ?—No : but he was there that night.

When did you write that, which you have given to the Court as the purport of your letter on that occasion ?—I copied it 2 or 3 days ago from the copy that I made at the time.

*Re-examined.*

Were you not told by a Sergeant, during the night of Sunday the 30th October, that the officer commanding the troops had left his address at the district office, and that if any enquiries were made for him he was instantly to be informed of it ?—I have no recollection of being so told.

Did you send any message by the bearer of your letter to the officer commanding the troops ; if so, state what it was ?—I don't recollect sending any message.

If you have the original copy of that letter please to produce it ?—I can produce it by returning to the Council-house.

To what place were the messengers, who carried the letter, directed to proceed in quest of the officer commanding the troops ?—No place was mentioned, that I recollect ; they were to deliver the letter to Col. Brereton, or the officer commanding the troops.

Are you sure that the direction contained the words “ or the officer commanding the troops ? ”—I am, as will appear by the copy of the letter which I shall presently produce.

Did the messengers whom you sent with your letter, report to you that they had delivered it to Capt. Warrington in person ; or that Capt. Warrington read it in their presence ?—No : they made no report.

*S. GOLDNEY, Esq. Surgeon, examined.*

Did you, early on Monday morning, 31st Oct. receive a letter from the Mayor of Bristol, addressed to Col. Brereton, or the officer commanding his Majesty's troops ; if so, at what place was that letter delivered to you ?—It was delivered to me at the house of Mr. Daniel Fripp in Berkeley-square.

State, as nearly as you can, at what hour ?—About three o'clock A. M.

To whom did you deliver the letter, and at what place?—  
To Capt. Warrington, at Leigh's bazaar.

How far from Berkeley-square is Leigh's bazaar by the shortest road; and did you take that road when you conveyed the letter?—About 3 or 400 yards, and I did take that road.

Did Capt. Warrington open and read the letter soon after it was delivered?—He did.

What time elapsed between your receiving that letter in Berkeley-square and the period when Capt. Warrington opened and read it?—From 5 to 10 minutes.

Relate, as correctly as you can, any conversation which passed between Capt. Warrington and yourself after he had read the letter?—He said that Col. Brereton was not there; that he believed he would be back about 6 in the morning; and that he would take care the letter was delivered to him. I understood him to say that he could not himself act without a Magistrate going every inch of the road with him. He likewise expressed his willingness to do every thing in his power, and his regret that the Dodington troop of Yeomanry had left Bristol, as they would have been of great service to him to have backed him. There was some conversation about the 14th leaving Bristol, which I do not recollect, and he said there was a great screw loose somewhere, but where he did not know.

Did Capt. Warrington say any thing about the state of the horses of his troop, or of the number of men he could send, if employed?—He said he had but 25 efficient men, and that their horses were so tired that they were scarcely able to carry them.

Had you in your way towards Berkeley-square, before you received the Mayor's letter, stopt at Leigh's bazaar?—Yes.

Had you any conversation with either of the officers of the 3rd dragoon guards on that occasion; if so, state it?—I called there merely to see if the soldiers were at the bazaar as I had heard. Cornel Kelson was standing on the outside. He complained how very cold he was, and said he was very anxious to go out and do his duty. I said that I would endeavour to get him an order to do so.

From the above conversation, and knowing where the dragoons were, did you imagine, that by taking the Mayor's letter to Leigh's bazaar, it would reach its destination?—Yes.

#### *Cross-examined.*

Did you inform Capt. Warrington that the Dodington troop of Yeomanry had left Bristol?—I certainly said so.

Did Capt. Warrington state to you, when you gave him the letter before alluded to, that it was not directed to him, but to Col. Brereton, who was the officer commanding the troops?—He did.

Did you not then state to him, that if he would open the letter, you would take the responsibility upon yourself?—I cannot state what I said about responsibility, but I certainly suggested to him the propriety of his opening the letter.

Did not Capt. Warrington request of you, after he had opened the letter, to take it to the officer commanding the troops, whom you would find at the Adjutant's quarters at the corner of Unity-street?—Not that I remember.

Did you refuse to take the letter back from Capt. Warrington after he had opened it?—No?

Did Capt. Warrington offer it back to you?—I do not recollect.

Who delivered to you the Mayor's letter?—Mr. D. Fripp.

When Capt. Warrington told you that his horses were so tired, did he not add, that notwithstanding that fact, he was willing to turn out immediately, if he could get proper orders, or the company of a Magistrate?—Yes.

*By the COURT.*

You have stated that when Capt. Warrington had read the Mayor's letter, he expressed his willingness to take active measures; did he also express his regret at not being able to forward the letter to Col. Brereton, or to communicate with him on the subject, previous to six o'clock, at which hour he expected Col. Brereton would return?—Not that I remember.

Did you ask where Col. Brereton, to whom the letter was addressed, was likely to be found, or urge the necessity of its immediate delivery?—No.

Did you observe any backwardness, or unwillingness to act on the part of Capt. Warrington?—On the contrary, he expressed every willingness to do anything on a proper order.

When Capt. Warrington stated to you that he could not act without a Magistrate to go every inch of the road with him, did you make any reply, or take any measures to communicate to the Mayor or other Magistrates what Capt. Warrington had stated?—No: I did not know where to find any Magistrate, excepting the Mayor, and he had particularly requested me and Mr. D. Fripp not to mention where he was.

*Mr. Alderman Fripp, examined.*

Was you at the house of Mr. D. Fripp early on Monday morning, the 31st of October last, when the Mayor of Bristol dispatched a letter or note addressed to Col. Brereton, or the officer commanding his Majesty's troops?—I was; I advised and dictated that letter.

State as exactly as you can the hour at which that letter was dispatched from Mr. D. Fripp's house?—Immediately after three o'clock.

How are you able to state the time so particularly?—I looked at my watch at the time.

*D. Fripp, Esq. examined.*

Did you receive from the Mayor of Bristol at your house early on Monday morning, the 31st of October last, a letter addressed to Col. Brereton, or the officer commanding his Majesty's troops?—I did.

Into whose hands did you give the letter?—I believe into the hands of Mr. Goldney.

*H. SMITH, Esq. examined.*

Was you in and about Queen-square during Sunday night, the 30th, and up to five o'clock on Monday morning, the 31st of October?—I was in Queen-square the whole of the night, except at short intervals, when I retired to my own house in Prince's-street, close by.

About what time on that morning did you see a detachment of dragoons reach Queen-square?—As near as I can guess about five o'clock.

Was the whole, or a considerable portion of the southern wing of the west side of Queen-square destroyed between the hours of half-past three and five on that morning?—I should think from three to five would be the period of the destruction of that part of the Square.

What proportion of the houses so destroyed between three and five o'clock was fired or destroyed after half-past three?—I should think all that are now burnt down.

Was any house fired in Queen-square after the dragoons arrived there?—None.

*Cross-examined.*

Was any house in Queen-square fired before half-past three?—Yes, all the Custom-house side, and part of the west wing.

*Mr. WINTOUR HARRIS, Jun. examined.*

Were you with Mr. S. O. Goldney at Mr. D. Fripp's, in Berkeley-square, early on Monday morning 31st Oct. last?—I was, about 3 o'clock in the morning.

Do you know that Mr. Goldney then received a letter from the Mayor of Bristol, addressed to Col. Brereton, or the officer commanding his Majesty's troops?—Yes.

Did you accompany Mr. Goldney when he went to deliver that letter?—Yes.

Where, and to whom, did he deliver it?—He delivered it to Capt. Warrington at Leigh's bazaar.

Relate, as correctly as you can, any conversation which you heard between Capt. Warrington and Mr. Goldney, after Capt. Warrington had read that letter?—Capt. Warrington hesitated about opening the letter; after he had done so at the suggestion of Mr. Goldney, he said he should be very happy to do any thing that lay in his power, but that he could do nothing without a Magistrate; that he should require a magistrate to go every inch of the road with him by his side, and that he hoped we did not think the blame rested with him; he likewise expressed his regret at the Dodington troop of Yeomanry having retired from Bristol from being unable to find a magistrate; and at the 14th having been sent out of town. He ended the conversation by saying there was a great screw loose somewhere.

Did any thing more pass between Capt. Warrington and yourself upon that occasion?—I don't remember that there did.

Did Capt. Warrington say anything about the state of the horses of his troop, or the number of men that he could send

out if called upon?—He said he had but 23 or 25 men, and the horses of those men were so tired they were scarcely able to carry them.

*Cross-examined.*

Did not Mr. Goldney induce Capt. Warrington to open the letter, by saying that he would take the responsibility on himself?—I believe he induced Capt. Warrington to open the letter; but I do not know that he took the responsibility on himself.

Did you take any means to apprise any Magistrate that Capt. Warrington was willing to turn out with his troop, if a Magistrate would accompany him?—I did not know where to find any Magistrate except the Mayor, and Mr. Goldney and I were requested not to say where he was.

*Re-examined.*

Did Capt. Warrington press you and Mr. Goldney to go back to the Mayor, and say that the presence of a Magistrate was indispensable to the employment of the troops?—I do not remember that he did.

*Mr. Alderman T. CAMPLIN examined.*

Were the riots raging in Bristol, with increased and destructive violence, from 3 o'clock in the afternoon of Sunday the 30th till 5 in the morning of Monday the 31st Oct. last?—They were.

Did you go to the horse bazaar on Monday morning the 31st Oct. for the purpose of calling out the troops; if so, be pleased to state, as precisely as you can, the time of your going there?—I went there about 4 in the morning to enquire whether the troops were there.

Who accompanied you, and to whom did you apply for the assistance of the military?—Mr. Danson and 2 or 3 others accompanied me; and upon hearing that there were troops there, I applied to Capt. Warrington, who appeared as commanding officer.

State all that passed between you and Capt. Warrington at the horse bazaar?—I told Capt. Warrington my name, and that I was a Magistrate of Bristol; that unless troops were instantly sent to Queen-square, the whole Square would be burnt down. He told me that the horses and men were all tired; that he had a letter from the Mayor, dated 3 o'clock, for Colonel Brereton, and that he could not find him anywhere. I read the letter and said it was a very proper one. He said he could not send more than 24 men. I replied “don't talk of sending, but go yourself, a man of your experience, and do not send an inexperienced officer;” or words to that effect. He said the troop should not fire. My reply was, “I believe there has been some understanding” (I meant relative to firing). He then said the troops should not go without a Magistrate; on which I said I would go with them. He then said, “the troop cannot go till I have seen Col. Brereton.” My reply was, “let us go for him.” We went together to 2, Unity-street, College-green, where we unexpectedly met with him, he having been

previously denied by two females who looked out of the window. I expressed my pleasure at finding Col. Brereton, and a conversation ensued between me, and Col. Brereton and Capt. Warrington, in the presence of several others.

Did a party of 3rd dragoon guards proceed afterwards to Queen-square according to your directions?—They did.

What time elapsed from the time when you first saw Capt. Warrington at the horse bazaar to the arrival of the dragoons in Queen-square; and at what hour did they reach the Square? Nearly an hour elapsed; they arrived there about 5 o'clock.

What is about the distance from the horse bazaar to Queen-square?—I conceive about three-quarters of a mile.

What portion of the Square was destroyed, when the dragoons arrived?—Nearly two sides; and the mob were commencing on the third.

*Cross-examined.*

Did Capt. Warrington tell you, before you left the bazaar, that whatever Magistrate required the troops to fire, must accompany them?—Not that I recollect.

Did you, when the troops went to Queen-square, accompany them?—I did, on foot.

How long did you remain with them?—Until about seven.

When you told Capt. Warrington that you were a Magistrate, did he not say, “come along, then?”—To the best of my knowledge he did not.

Were any persons present when you held the conversation with Captain Warrington at the horse bazaar?—Yes, Mr. Danson, certainly, and I believe others.

*By the Court.*

When you expressed to Capt. Warrington in such strong terms, that it was your opinion he should go himself with the dragoons and not send an inexperienced officer, did he make any specific reply to what you said, or did he merely say that the troops should not fire?—He made no specific reply.

You have stated that Capt. Warrington said that he did not know where to find the officer commanding the troops; at whose suggestion then was it that you went to Unity-street to look for him?—I had seen a Mr. Francis, an officer connected with the Staff, some time ago, accidentally going into No. 2, Unity-street; that induced me to go there, as I knew Colonel Brereton's usual residence was two or three miles from Bristol.

*C. F. DANSON, Esq. examined.*

Did you meet Alderman Camplin in College-green early on Monday morning, the 31st of October, and about what hour?—I met him at about twenty minutes after four.

Did any circumstance occur to enable you to mark the hour with particular exactness?—Yes, before leaving the house in which I reside in Park-street, I saw by the clock it was a quarter past four.

Did you accompany Mr. Alderman Camplin from College-green to the horse bazaar?—Yes.

## FOURTH DAY.—FRIDAY. January 27.

*Mr. Danson's examination continued.*

Did any thing pass between Mr. Alderman Camplin and Capt. Warrington, or between yourself and Capt. Warrington, on that occasion ; if so, be pleased to state the particulars ?—Mr. Camplin asked for the commanding officer, and we were shewn to a place covered with straw, where we saw some dragoons lying down ; some horses were standing on the other side ; almost immediately afterwards Capt. Warrington came up, Mr. Camplin told him he was a Magistrate, and that he came to require the assistance of the troops in the Square.—Captain Warrington expressed great willingness to come ; he said, "Very well, Sir, they are ready," and added, enquiringly, to Mr. Camplin—"Will you go with us?"—Mr. Camplin seemed to hesitate, and Capt. Warrington said "No, my orders are that the troops shall not go without a Magistrate."—I had a word or two with Mr. Camplin, and then said, "Of course the Alderman will go down as a Magistrate to direct the use of the troops." Some conversation ensued about the numbers ; Capt. Warrington said "I suppose you know we have received a letter from the Mayor, requiring the troops?" Mr. Camplin said, "that seems to confirm what we have come about."—Capt. Warrington immediately pulled the letter out of his pocket and gave it us to read. Capt. Warrington said "I can only send down five and twenty ;" upon which Mr. Camplin said, "Won't you go yourself ; you had better go with us?" Capt. Warrington said "No, I shall send an officer with them." He (Capt. Warrington) went on to say, "What are the troops to do when they get down in the Square?" Mr. Camplin said, "Oh, they will ride in amongst the mob, and beat them with the flat of their swords." Capt. Warrington seemed to doubt the sufficiency of their numbers for that purpose, and I (witness) said, "As you will have a Magistrate with you, of course you will fire, if necessary." Capt. Warrington promptly answered, "No, my orders are not to fire ;" upon which I said, "I take it for granted you have those orders from the Colonel, meaning Col. Brereton ; if so, we can't expect you to act to the contrary." Either Mr. Camplin or myself asked Capt. Warrington to accompany us to Colonel Brereton to get that restriction withdrawn.

How much time do you conceive to have passed in College-green before you reached the bazaar ; how much during the conversation there with Capt. Warrington ; and how much in and about No. 2, Unity-street, before you all left that house prior to the dragoons being ordered to turn out ?—About three minutes before we reached the bazaar, under ten minutes in conversation with Capt. Warrington, and fully a quarter of an hour in Unity-street ; altogether about half an hour.

Did you observe the date of the Mayor's letter you have alluded to ; if so, state the date ?—It was dated 3 o'clock Monday morning.

Did Capt. Warrington, whilst you were at the bazaar, say any thing regarding the state or the efficiency of his men or horses?—I don't recollect that he did.

What difference is there between the distance of Mr. D. Fripp's house from the horse bazaar, and the distance of your own house from the bazaar?—Mr. Fripp's house may be about 50 yards farther than my own.

Did you and Mr. Alderman Camplin wait for the troops at the drawbridge, and proceed with them, or as nearly as you could, to the Square; if so, at what time did the troops arrive in the Square?—Yes, we went on to the drawbridge, and waited for them there; they came in about ten minutes after we had parted with Col. Brereton in Unity-street; they arrived as nearly five as possible, rather before than after.

*Cross-examined.*

You stated that Capt. Warrington said he would send an officer with the troops; was not that observation made after you had been with him to Colonel Brereton?—No, certainly not.

Did you see two women at the window of the house in Unity-street; and if so, did you hear either of them deny Col. Brereton? I saw two women, but I did not hear any denial given. I did not even know Col. Brereton was enquired for; the only name I heard was that of Sergeant Platts.

Did you go to Queen-square with Alderman Camplin, or did you see him there accompanying the troops?—Yes; we accompanied the troops closely from the drawbridge until we came to the entrance to Prince's-street, where there was a mob of 5 or 600 people; the troops charged up, and of course left us behind. The troop, having cleared that mob, advanced up Prince's-street and entered the Square by the farther avenue. We (witness and Alderman Camplin) entered the Square by a nearer avenue, and made our way up to the corner where the troops entered. We arrived just before them.

*By the COURT.*

When the detachment of the 3rd dragoon guards went to the Square, who commanded it?—Col. Brereton.

You have stated that Alderman Camplin said to Capt. Warrington “won't you go yourself; you had better go with us;” can you recollect whether Capt. Warrington made any other observation, or used any other words than those you have already stated?—I have repeated his words as nearly as possible.

The President said, that from the testimony of the last two witnesses it appeared superfluous to call a third witness to the same points; the Prosecutor accordingly declined bringing forward further evidence on those points.

*Lieut. FRANCIS examined.*

You have heretofore said that Lieut.-Col. Brereton might have received a letter between the hours of 10 on Sunday, the 30th, and half-past 4 on Monday morning, the 31st of October,

without your knowing it; now state, whether between half-past 12 on Sunday night and half-past 4 on Monday morning, he could have received an official dispatch or letter without your knowing it?—He might.

When did you return to No. 2, Unity-street, on the night of Sunday, the 30th, or Monday morning, the 31st October?—A little before 12 o'clock.

State during what part of the period between half-past 12 on Sunday night, the 30th, and half-past 4 on Monday morning, the 31st October, the officer commanding the troops in Bristol could have received an official communication without your knowing it?—From a little after 1 to a little after 4.

Did you not make two official communications to the officer commanding in Bristol, between the hours of half-past 12 and half-past 2 of the aforesaid night and morning?—I did.

Were you and the officer commanding in Bristol under the same roof from 10 o'clock till past 4 on the Monday morning?—Yes.

Upon what grounds then, do you, who are Adjutant of this district, suppose that other official communications besides the two you have named, could have reached him without your being apprised of it?—At the periods you have mentioned, I was not perpetually with Col. Brereton; I did not see Col. Brereton from 1 o'clock till near 4, and he might have received a communication in the mean time without my knowing it; it is impossible for me to swear that a communication besides the two referred to, might not have been made.

Do you know of any other official communication, except the two before alluded to, having been made to Col. Brereton within the said period?—None, to my knowledge.

Were either of those two official communications from any officer, or other person, of the 3rd dragoon guards?—They were not.

*By the Counsel.*

If Lieut.-Col. Brereton had received an official communication between the hours of 3 and 4 o'clock on Monday morning, should you not, as District Adjutant, have been informed of it, when you saw the Lieut.-Col. at or soon after 4 o'clock?—Not as a matter of course, for Col. Brereton did not communicate every official communication to me.

The Prosecutor announced that the evidence on the second charge had closed, except any thing, which he did not at present anticipate, might arise in the further proceedings. The investigation of the third charge was then proceeded in.

*Mr. C. Gossley examined.*

Were you in the neighbourhood of Queen-square between 2 and 3 o'clock on Sunday afternoon the 30th Oct., when a body of rioters was proceeding to an attack of the new gaol?—Yes.

Did you soon afterwards see Aldermen A. Hillhouse and Savage and a body of constables, beaten back and pelted by the body of rioters in the neighbourhood of the said gaol?—Yes.

Did you, in consequence thereof, and in the name of the two

said Aldermen, proceed to Reeve's hotel or to the horse bazaar, for the purpose of requiring the military to proceed to the new gaol?—Yes, first to the horse bazaar, and then to Reeve's hotel.

To whom, and in what particular place, did you apply for that purpose?—On applying at the horse bazaar, a Sergeant took me to Reeve's hotel, when I saw Capt. Warrington and delivered the message to him.

State if any other person or persons were present, and what passed between you and Capt. Warrington?—Cornet Kelson was present; I told Capt. Warrington that the mob were breaking into the gaol, and the Magistrates wanted what troops he could send. He said he would send them immediately. Capt. Warrington said he was very fatigued; he had been on duty the whole of Saturday, Saturday night, and Sunday.

Were any orders given in your presence by Capt. Warrington in consequence of your requisition; and if so, to whom?—He ordered the Sergeant, who had brought me down to him, to order out 10 men immediately, and desired Cornet Kelson to take charge of them, to proceed to the Mansion-house, to join the guard there, and from thence to proceed to the gaol.

Did the detachment of 10 men, which turned out from the bazaar, under the charge of Cornet Kelson, form in front of Reeve's hotel before you left it?—Yes.

[Capt. Warrington declined cross-examining.]

*Lieut. FRANCIS examined.*

Can you state at what time between the hours of 2 and half-past 4 on Sunday afternoon the 30th Oct., the officer commanding in Bristol came to the Recruiting-Office, and how long he remained there?—He was there between 2 and 3, to the best of my recollection; I cannot say how long he remained there; he was backwards and forwards the whole day.

Did you take any order for the officer commanding in Bristol, about 3 o'clock p. m. on Sunday the 30th of Oct., to the officer commanding the 3rd dragoon guards, to send a party to the new gaol to quell the riots?—I did not.

Did you take an order from the officer commanding in Bristol, about 8 o'clock on the Sunday evening, to an officer commanding the 3rd dragoon guards, for a party to proceed to the Bishop's palace; and if so, to whom did you deliver it?—I did, and delivered it to Cornet Kelson, of the 3rd dragoon guards.

Was Capt. Warrington then with his troop?—I did not see him.

*By the PRESIDENT.*

Did you enquire for Capt. Warrington, or the commanding officer of the troop?—I did.

What was the reply?—That Capt. Warrington was not there; Cornet Kelson immediately came forward, and I delivered the message to him, and he acted on it.

*Sergeant PLATT examined.*

Can you state at what time, between the hours of two and four o'clock on Sunday afternoon, the 30th of October, the

officer commanding in Bristol came to the Recruiting Office, and how long he remained there within the same period?—He came about three, and remained I suppose more than an hour.

Say what Sergeants of the Recruiting Staff were in attendance besides yourself, during the whole or any part of those two hours?—Sergeants Dinidge and Notton occasionally.

Were you sent with any letter or orders from the officer commanding in Bristol to the officer commanding the 3rd dragoon guards between the two hours above named?—I was not.

*Sergeant DINIDGE, examined.*

Were you sent with any letter or order from the officer commanding in Bristol to the officer commanding the 3rd dragoon guards between the hours of two and four on Sunday afternoon, the 30th of October?—No.

*Sergeant NOTTON, examined.*

Were you sent with any letter or order from the officer commanding in Bristol to the officer commanding the 3rd dragoon guards between the hours of two and four on Sunday afternoon, the 30th of October?—No.

*Cornet KELSON, examined.*

How long have you been in his Majesty's service?—Since the 8th of June, 1830.

Did you proceed in command of a detachment of the 3rd dragoon guards to the city gaol, a little after three o'clock in the afternoon on Sunday, the 30th of October, by order of Capt. Warrington?—I did.

Did Capt. Warrington then remain in his quarters?—I believe he did.

State the instructions which Capt. Warrington gave you upon that occasion?—Capt. Warrington ordered me to take ten or twelve men, and go into College-green, where I should see Col. Brereton. I understood from Capt. Warrington that I going to the gaol. I am doubtful whether Capt. Warrington ordered me to take up a party in the Square, or whether he told me to tell Colonel Brereton there was such a party I might take up.

Did you take up a party in Queen-square on your way to the new gaol?—I did.

What was the total strength of the detachment with which you proceeded to the new gaol?—Twenty men.

Was the gaol attacked and threatened with destruction by the rioters, when you arrived at it?—It was.

Does the number of twenty men include the non-commissioned officers?—It does.

Did you find Capt. Warrington in his quarters on your return from the gaol?—I did.

Did you receive an order from the officer commanding in Bristol, about eight o'clock on Sunday evening, the 30th of October, for a detachment of the 3d dragoon guards to proceed to the Bishop's palace?—I did.

Did you accordingly proceed in command of a detachment of the 3d dragoon guards to the said palace?—I did.

What was the strength of the detachment?—Twenty men.

Was Capt. Warrington in his quarters at the time you received the above order?—He was not.

How long had he been absent?—The last time I saw Capt. Warrington was about seven o'clock p. m.

Did Capt. Warrington give you any instructions when he left his quarters?—He did.

State what they were?—Capt. Warrington told me he was going to General Pearson's, at Clifton, to ask his advice; he told me that if he was wanted I was to send a servant to General Pearson's for him.

At what time did the detachment which went under your command to the Bishop's palace, return to its quarters?—About half-past nine or a quarter before ten.

Where did you then find Captain Warrington?—Captain Warrington was in his bed-room.

Was he in bed or in the act of getting into bed?—He was in the act of getting into bed.

How soon afterwards, and on what occasion did Captain Warrington rejoin his troop at the horse bazaar?—About a quarter before eleven on the night of Sunday, when the mob attacked Reeve's hotel. The troop turned out in consequence, and Capt. Warrington took the command of them.

Did you proceed in command of a detachment of the 3rd dragoon guards to Queen-square some time before five o'clock on Monday morning the 31st of October?—I did.

By whose order did you proceed thither?—By the order of Capt. Warrington.

What was the strength of your detachment?—Twenty-one men.

Relate what occurred when you proceeded to the Square?—On marching through College-green, I met Lieut.-Col. Brereton; he accompanied me to Queen-square; two sides of the Square were on fire, and the mob destroying every thing; we charged several times down the streets at the back of the Mansion-house, and in and about the Square.

Did you send a message from Queen-square to Captain Warrington?—I did.

State the nature of it, the time it was sent, and the person who conveyed it?—The nature of the message was to tell Capt. Warrington to bring up his squadron; the time it was sent was about half-past six or a quarter to seven; the person who conveyed the message was a dragoon of my own party, by name Llewelin.

At what time did Capt. Warrington arrive in the Square with his squadron?—About seven o'clock.

*Cross-examined.*

Have you not heretofore commanded detachments of the 3rd dragoon guards in 1830 in riots both in Hampshire and in the Forest of Dean, in 1831?—I have.

Did not Capt. Warrington order you to report yourself and party to Col. Brereton in College-green on your route to the gaol, and to ask for orders?—He did.

Did not you receive your orders for the troops to proceed to the gaol, from Col. Brereton?—I did.

When you stated that Capt. Warrington was in his bed-room, do you mean that you had ever known him to use it as a bed-room since his arrival in Bristol, until that moment?—I never knew that Capt. Warrington had made use of that room as his bed-room before.

Had you known him occupy any other room as a bed-room at Reeve's hotel previous to that time?—No.

Was Capt. Warrington completely undressed when you saw him in the bed-room?—He was not.

Did you not request Capt. Warrington to lie down, and promise him that if any thing was required, you would let him know in person?—I did.

Were you not ordered by Capt. Warrington to meet Col. Brereton and a Magistrate in College-green on the Monday morning, when you marched to the Square?—Capt. Warrington ordered me to meet a Magistrate in College-green: I cannot speak as to Col. Brereton.

Did not Capt. Warrington order you to send an orderly for his reserve party, should you receive orders to act, or anything be likely to be done?—Capt. Warrington ordered me to send an orderly for his reserve party, if it should be required; or words to that effect.

Did you know that the troops were to act, when you went out with the party alluded to, on the Monday morning?—I did not know it till I got to Queen-square, when I gave the orders myself.

From an order which Col. Brereton gave you for Capt. Warrington on Sunday evening, after returning from the Palace, did you not understand that Capt. Warrington was acting under his immediate orders, and that he was not to move without an order from him?—Colonel Brereton ordered me to inform Capt. Warrington from him that he would not call upon him till the last necessity, and not to move till he did.

*Re-examined.*

Did not the original order which you received, to proceed in command of a detachment to the gaol, proceed from Captain Warrington at Reeve's hotel?—Capt. Warrington ordered me to turn out with a party to go to the gaol, but ordered me likewise to go to Colonel Brereton and receive further orders.

*By the Cover.*

What number did the squadron consist of that Capt. Warrington brought to your assistance in Queen-square, on Monday morning, the 31st?—Twelve men.

Referring to your answer relative to the orders you conveyed from Col. Brereton to Capt. Warrington, did you understand those orders to refer to Capt. Warrington personally, or to him and the force under his command?—I understood the order to apply to Capt. Warrington personally.

When Capt. Warrington was in his bed-room, at Reeve's hotel, and as you stated, about getting into bed, was he in uniform?—He was not.

How far was he undressed?—He had nothing but his drawers and shirt on.

Did Capt. Warrington take the command of his troop when he joined you at 7 o'clock on Monday morning?—He did.

Was Capt. Warrington at the bazaar with his troop, when the detachment turned out on Monday morning?—He was.

*H. LLEWELLYN, private in the 3d Dragoon Guards, examined.*

Did you convey a message from Cornet Kelson, in Queen-square, to Capt. Warrington at the horse bazaar, on Monday morning the 31st Oct.?—I did.

At what hour did you reach the bazaar with the said message?—Between 6 and 7 o'clock in the morning.

*Cross-examined.*

Did you find the reserve party quite ready to turn out, and did they not in fact turn out immediately after you delivered the message?—They were ready and they turned out immediately.

Did you return with the party to Queen-square?—Yes.

Did they move at a trot the whole way?—Yes, they did.

Did not Capt. Warrington continue actively employed at the head of his troop after he had taken the command of it?—Yes.

*J. CALKIN, Waiter at Reeve's Hotel, examined.*

Do you know at what hour Capt. Warrington returned to Reeve's hotel after 8 o'clock on Sunday evening, the 30th October?—Near about ten.

At what time did a body of rioters commence an attack on Reeve's hotel?—About 5 or 10 minutes past 11 on Sunday night.

Where was Capt. Warrington at the time of that attack?—In his bed-room.

State what became of Capt. Warrington in consequence of that attack, and when you next saw him?—He went out of a side door to his troop; he was mounted on his horse the next time I saw him, at the head of his troop, near the side door of our house.

Did the troop immediately afterwards form in front of the hotel?—Yes.

Whereabout was the number of rioters that made the attack on Reeve's hotel, and what damage did they commit?—From 8 to 10 or 12; in the first place they broke the spikes off the wall, and then broke the windows of the lower rooms.

What do you conceive to be the greatest number of rioters whom you saw in or about the hotel during the attack?—I should think there were from 20 to 25; there may have been a few more.

*Cross-examined.*

Did you see Capt. Warrington speaking to Mrs. Perry about 8 o'clock on Sunday evening, in Reeve's hotel?—Not to my recollection.

When you saw Capt. Warrington between 8 and 10 on the Sunday evening, did he not desire you to send Mr. Kelson to him the moment he returned with his detachment?—Yes, he did.

Could Capt. Warrington have been in Reeve's hotel after eight o'clock and before ten, on Sunday evening, without your seeing him?—Yes, he could.

Can you relate to the Court why Capt. Warrington retired to a bed-room?—I recollect that on Sunday night, Mrs. Perry, the landlady, was speaking to Capt. Warrington, the precise time I cannot recollect; she said, "Capt. Warrington, you look very ill, I think you had better go to bed." She said she would make him something to take, for she thought the cold shivers or ague, was coming upon him. He said, "I think I will," and desired me to call him as quick as possible if any thing occurred.

Do you know if the clothes Capt. Warrington had on were wet?—I do not.

From the time that elapsed after the mob commenced their attack on the hotel, and Capt. Warrington's appearance in uniform, do you think he could have been entirely undressed?—I should think not.

*Troop Sergeant-Major J. MARTIN examined.*

Were you in command of a party of the 3rd dragoon guards, in Queen-square between two and four on Sunday afternoon, the 30th of October?—I was.

Did Cornet Kelson come to the Square with another party of 3rd dragoon guards, and order you to join him with your party, and to proceed to the new gaol?—He did.

What was the strength of the party when joined together?—Twenty-one.

Was Capt. Warrington with the party at any period till the whole of them returned from the city gaol?—No.

Did you accompany a detachment of Capt. Warrington's troop to the Bishop's palace in the evening of the 30th of October?—I did.

Who commanded the detachment?—Cornet Kelson; Col. Brereton was present.

What was the strength of the detachment?—Twenty.

Do you mean that Col. Brereton was present when the detachment turned out, or that he took the command at the Bishop's palace?—To the best of my recollection, Colonel Brereton was the first who turned the party out—Cornet Kelson formed the party, told them off, and gave them the word to march.

Can you undertake to say that Col. Brereton was present when the party turned out, or is it only your impression that he was there?—I can speak positively as to Col. Brereton having given me the order to turn out the troop, but I cannot swear he was present when Cornet Kelson paraded them out.

Did you see Lieut. and Adjutant Francis at the bazaar when the troop was ordered to turn out?—I did not.

Was Capt. Warrington absent from his troop when the detachment turned out?—He was.

How many non-commissioned officers and men were absent from the bazaar on other duty at the time the said detachment turned out?—To the best of my recollection eight.

Did Capt. Warrington join or take the command of the said detachment at any time till it returned to quarters?—No.

Were you on duty with a detachment of the 3rd dragoon guards which left the Bazaar some time before five o'clock on Monday morning, the 31st of October for Queen-square?—Yes.

Who ordered out the detachment?—Capt. Warrington.

Who commanded it?—Cornet Kelson.

What was its strength?—Twenty-one.

Did Capt. Warrington then remain behind in quarters?—He did.

*Cross-examined.*

Was Colonel Brereton with the party that turned out to go to the Bishop's Palace the whole time, and until they were ordered to return to their quarters?—I recollect seeing Col. Brereton immediately after we left the bazaar yard, and he remained with us until we returned to College-green.—He was with us at the Bishop's palace the whole time.

Did the party return direct from College-green to their quarters?—Yes.

Sir C. DALBIAC here announced that the evidence for the prosecution was now closed.

**FIFTH DAY.—Monday, Jan. 30.**

[At nine o'clock, an hour before the time appointed for commencing business, the Hall was literally crammed by spectators, the majority of whom were ladies. Seldom had there been an enquiry that caused such universal interest, and that interest was peculiarly increased this morning from its being known that Captain Warrington would address the Court in his defence. Never, perhaps, was there so great an assemblage congregated together in so small a space; and a great number, even of those who had obtained tickets from the Judge Advocate, were obliged to go away, there being no possibility of their gaining admittance. At ten o'clock, Sir Henry Fane with difficulty got to his seat at the table. It was found impossible, however, for the other members of the Court to take their places. After a few minutes passed in an ineffectual struggle, the President said,—"It is impossible the business of the Court can be thus interrupted. I am exceedingly sorry to put the public to any inconvenience, but it is absolutely necessary that the Hall should be cleared; the members of the Court cannot take their places." This order not being obeyed, the President again said, "Major Mackworth, send for a file of men; the Court must be cleared." This order had the desired effect, so as to enable the members to take their seats. The President good humouredly observed to some ladies standing near him, "You see, ladies, I can command the men, but cannot the women."]—(Laughter.)

After a short pause, Capt. WARRINGTON proceeded to address the Court in his

**DEFENCE.**

"General Sir Henry Fane, and the Members of this honourable Court,—When the honourable and gallant General, upon whom has devolved the duty of conducting this prosecution against me, stated to the Court that it was with feelings of an afflictive nature, that he found himself engaged in so invidious a line of duty, I gave the most implicit credit to the sincerity of that declara-

tion. And if *he* felt the necessity of bespeaking your indulgence, on account of the painful situation in which he was placed, it may perhaps be permitted to me, without the appearance of presumption, to request a similar indulgence on *my* part.

“ Having, for the first time in my life, to speak before any assembly, and that under circumstances so novel and painful, hearing myself designated as ‘the prisoner at the bar,’ to be subjected to the forms and ceremonies incidental to that situation, naturally increases my embarrassment.

“ When I reflect that as one engaged in an honourable profession, by which I must hope to live, I have had hanging over me an imputation on my character as a military man, which by my own desire I am now endeavouring to repel, I trust I may have some claim to the indulgence of this honourable Court.

“ By the address of my Prosecutor, I have been apprised that I am tried upon charges founded on the proceedings of a Court of Enquiry, which was held on my superior and commanding officer. But when my prosecutor so feelingly and so eloquently deplored his melancholy fate, in language more appropriate and forcible than I could describe, how much more must I inwardly lament his loss, under whose orders I had served, and who could, if living, have best satisfied this honourable Court, whether, in any one instance, while under his command, I had been inattentive to my duty. The Court is already aware, that the orders given by the late Commander of the troops, during the riots, were generally verbal. I will on no occasion ask this honourable Court to receive my assurance that I had an order for any particular duty, in the absence of proof to support my assertion. And here permit me to observe, that following the example of my prosecutor, and the dictates of my own heart, I shall endeavour, on all occasions, so far as in my power lies, to avoid all mention of a name which cannot be uttered without giving me pain. I would sooner suffer any degradation, or bear all the odium of these charges, than I would place one blot upon his escutcheon.

“ Nor is my embarrassment in any way diminished by the generosity of my prosecutor, in having expressed

an interest in the fate of so humble an individual as myself, especially when coming from an officer so justly distinguished ; it imposes upon me a debt of gratitude, that will leave me ever to regret that my conduct should even for a moment have made an unfavourable impression upon the mind of one, whose good opinion it would have been my greatest pride to have deserved, and who, as the public prosecutor, has discharged his duty without any vindictiveness or personality towards me. I labour under an additional disadvantage in being compelled to speak wholly of myself, in the presence of a tribunal composed of officers, whose gallant services in the field have been crowned by the most marked approbation of their sovereign.

“ But when I reflect upon the eventful circumstances connected with this enquiry—the immense loss of life and property at a time when my conduct is censured ; the late awful catastrophe, which still throws such a gloom over this city ; and the yet more recent and appalling sacrifice made within these few hours, and within a short distance of these walls,\* as an atonement to the offended laws of the country ; when I reflect that I myself am compelled, at this particular juncture, to launch my bark amongst the shoals and breakers that have proved destructive to so many others, I may well be unfitted for any struggle, however necessary for the preservation of my honour.

“ I cannot but be sensible that statements have been sent forth to the world, in various forms, reflecting on the military service during the Bristol riots, and in particular of the troop which I had the honour to command ; that these statements having so long remained uncontradicted, made me anxious, from the commencement of this trial, to let some refutation follow each attempt to substantiate any charge. Notwithstanding these difficulties I will endeavour to meet the charges, throwing myself upon the indulgence of this honourable Court for the inability and inefficiency of my attempt.

“ Although it will become necessary for me to make some allusion to the conduct of others, I do not desire or intend to evince any vindictive feeling, or to retaliate

\* The execution of four of the rioters.

upon those whose public statements have been calculated to remove odium and responsibility from the civil to the military authorities. I desire to confine myself as strictly as possible to a refutation of the charges against me, and if I could be so ungenerous as to intend more, my profound respect for this honourable Court would at once deter me from the attempt; and, after having stated the various difficulties under which I labour, I should do injustice to my own feelings if I did not acknowledge that there is one circumstance connected with these proceedings which affords me consolation, and which I hope, without the suspicion of flattery, I may be permitted to mention; it is, that my honour and character are entrusted to such an assembly, over which there presides one who has not been more highly renowned for his gallantry in the field, than distinguished for a reach of ability which renders it unnecessary to consult the high authority on his right hand, and for impartiality proverbial throughout the army.

“ Having taken the liberty of making these general remarks, I shall now proceed to trouble the Court with some observations more immediately connected with these charges; and I shall endeavour to do so as briefly as possible.

“ Upon the first, I humbly submit that, being under the immediate command of Lieut.-Col. Brereton, from the moment that my troop arrived in Bristol, nothing but his express orders, or the written requisition or presence of a Magistrate, could, therefore, have released me from that command.

“ I do not mean to question Mr. Kington’s respectability, but as he told me that he was not a Magistrate, and as his communication was merely verbal, and not proceeding from any official source, I appeal to this honourable Court how far I was bound, in the words of the charge, ‘to order out the troop,’ or to forward to my commanding officer either that or the other numerous verbal communications received that night; particularly when I had reason for supposing that there was an intention on the part of the rioters to separate my force.

“ I can prove that I invariably directed the persons making these unauthenticated communications, to the commanding officer.

"Mr. Kington and several others speak to my anxiety to meet their wishes, and that my non-compliance arose solely from a want of proper authority. In this instance, I submit that my refusal to turn out was in strict accordance with the orders of my commander and the rules of the service, particularly with the instructions under which I acted last winter in the south-west district.

"On the second charge, I would observe, that on Monday morning, the 31st October, about half-past three o'clock, a letter was brought by two gentlemen to the quarters of the 3rd dragoon guards, addressed to Lieut.-Col. Brereton, or "the officer commanding his Majesty's troops," as stated. Upon reading the direction, I refused to break the seal, observing that the Colonel was to be found at the Adjutant's quarters, close by (No. 2, Unity-street.) When repeatedly urged by those gentlemen to open the letter, one of them offering to take the responsibility upon himself, I was persuaded to do so, and read its contents in their hearing. I pressed them to take it immediately to the Colonel, and offered to return it, but they refused to receive it. In their presence I desired Sergeant Deane to give directions for half of the troop, which was not bridled up, to get ready immediately, firmly believing that they were gone to Col. Brereton's, to apprise him of the communication from the Mayor.

"I will prove, to the satisfaction of the Court, that, upon the subsequent application of the Magistrate referred to in the charge, I evinced every readiness to co-operate with him. I do, however, deeply regret that I relied upon those gentlemen to communicate to my commanding officer the contents of the letter, instead of taking the more military course of dispatching it by an orderly. I humbly solicit, on this explanation, the indulgence and favourable consideration of this honourable Court.

"The 3rd charge comprises portions of two days, namely, the 30th and 31st of October, and states that, at different times on those days, when the excesses were committed, the troop under my command was then the only military force in Bristol; that I ought to have been within immediate call of the quarters, and command

my detachment that was ordered out, but that I greatly neglected and violated my duty in several respects.

“ In the first count, that about four in the afternoon of the 30th Oct. I ordered out a detachment of two-thirds of the troop to the city gaol, under the sole command of a young Cornet. Now, it appears, by the evidence of Cornet Kelson, that I sent him with 10 or 12 men only to College-green to meet Lieut.-Col. Brereton; and although Cornet Kelson did not exactly recollect whether I ordered him to take up a party in the Square, or to tell the Colonel that there was a party in the Square which might be spared, I will make it appear distinctly that the latter was my order; so that, instead of sending a great proportion of the troop, I only sent out ten or twelve men, and they were not ordered by me to the gaol, but to report themselves at College-green to the Lieut.-Colonel, and ask for orders. They were ordered by him to the gaol; and whatever might be Cornet Kelson’s period of service, it has been proved that he was employed in 1830 and 1831 in the disturbed districts, where he acquitted himself creditably; and on the 30th Oct. the day in question, he was frequently under the superintendence of Col. Brereton, who might be presumed to be the best judge of his competency when he dispatched him to the gaol.

“ The 2nd count states, that while the troop was in quarters on the 30th Oct. I absented myself for a considerable space of time; and that, during my absence, a detachment was called out to protect the Bishop’s palace; that it proceeded under the command of one troop officer only. With respect to this count, I will not for a moment deny the fact of my absence, but I will state to the Court the reason of it, and will prove the steps I took before I left the neighbourhood of my quarters.

“ The Court will not, I trust, consider my conduct as the result of indifference, or the want of the vigour and activity requisite in my situation. On all former occasions, when I was employed on similar duties, the force under my command was invariably accompanied by a Magistrate; but finding the case so different at Bristol, I wished for the advice of some experienced officer to sanction me in resorting to extremities.

"Having heard that General Pearson, an officer of great experience and distinction, resided at Clifton, I stated to Cornet Kelson my intention to go, while the city appeared quiet, and ask the General's advice, although I was a total stranger to him.

"As I left my quarters a little before eight in the evening, I called to enquire if the officer commanding the troops had any orders for me, which I will prove, and that Col. Brereton answered that he had not.

"I went as fast as I could to Gen. Pearson's, and staid there about five minutes. The General will prove the short communication I had with him. I returned immediately to my quarters, and was seen there before nine o'clock.

"On my return I learnt that a detachment had been ordered out. Lieut. and Adjutant Francis states that the order he took was for a party only; but I am ready to admit, strictly speaking, I had no right to absent myself for a moment. I trust, however, that this hon. Court will see the anxiety I evinced to meet the exigencies of my situation, and will not condemn the motive which induced my absence.

"The third count alleges, that having returned to my quarters during the absence of the detachment, in place of proceeding to join the same or of waiting its return, I did, before the return of the detachment, which was about ten o'clock in the same evening, retire to my bed.

"I hope the facts relating to this charge are already understood. Cornet Kelson has proved that I waited the return of the detachment. The landlady of Reeve's hotel had observed some ague symptoms upon me, and, with difficulty prevailed upon me to retire to a bedroom. Cornet Kelson saw that I had not all my clothes off, at a quarter before ten o'clock. John Corfield, the waiter, states that I could not have been wholly undressed, from the short time that elapsed between the attack on the house and my appearance in uniform, coming down stairs on my way to the stables.

"By Mr. Kington's evidence it appears that, at about ten or half-past ten, he saw me mounted at the head of my troop. So that, taking Cornet Kelson's statement of the time when he left me in the room, and Mr. Kington's evidence of my being on horseback in half an

hour after or thereabouts, the charge will resolve itself to this,—that while suffering under a shivering fit, from the consequences of clothes which had been wetted repeatedly during the preceding 24 hours, I retired to change; that after, and not before, the return of Cornet Kelson and the detachment, I was seen by the Cornet partially undressed, and received a distinct pledge from him, when he left the room, that if anything was wanted he himself would immediately report to me.

“The fourth count of the third charge states, that between four and five o’clock, on the morning of the 31st October, when a detachment of the troop was called out to stop the progress of the riots in Queen-square, I permitted the detachment to proceed on such service under the sole command of Cornet Kelson, while I remained inactive in my quarters.

“Now, the fact is, that the detachment in question was not ordered by me to the scene of the riots; they were not in Queen-square under the sole command of the said Cornet; and I did not remain inactive in my quarters. But, on the contrary, I remained at my quarters with ten or twelve men as a reserve, by Col. Brereton’s express orders; and marched off a detachment under Cornet Kelson, desiring him to go to College-green, where Col. Brereton and a Magistrate would join them, and if there was any thing to do I was instantly to be informed. They proceeded to Queen-square from College-green, under the immediate command of Colonel Brereton. As soon as they were ordered to charge I was sent for, and lost not a moment in bringing up the remainder of the troop and putting myself at their head. We afterwards frequently charged the mob, and greatly contributed in quelling the riots.

“To come, however, to the concluding part of these charges, which insinuates, in general terms, that throughout the period of the riots, there was a want of activity and vigour, requisite in the situation in which I was placed, almost approaching to a sympathy with the rioters,—I propose, with the permission of this honourable Court, to call Major Mackworth, Major Beckwith, and the officers of the 14th light dragoons, to state their opinion of my conduct when they saw me employed during the riots. I propose to put in several testimonials

of officers under whose command I have been, among them those of Major-General Sir John Brown, Colonel the Hon. George Abercromby, Colonel Story, Majors Maunsell, Hadden, and Frazer. I have also testimonials from two gentlemen who had frequent opportunities, as Magistrates in the South West District, of observing my readiness to co-operate with the civil power. One of these gentlemen was that distinguished officer, General Sir Hussey Vivian; the other, Sir Wm. Heathcote, one of the most active and able Magistrates in the district; that gentleman, or some other Magistrate, invariably accompanied the troops when called out to quell the riots.

“I have many apologies to offer for having trespassed so long on the time of the Court; my anxiety may have led me to do so at greater length, from regard to the gallant regiment to which I belong: from the recollection that my father and brother are both soldiers; that my grandfather, great grandfather, and almost every male relation and connexion, for centuries past, have held commissions in the British Army.

“In conclusion, allow me to add, that no one can more deeply deplore the excesses that occurred, and the calamities that followed the disgraceful riots in this city; and I confidently hope that my conduct will in no way be considered as supporting the accusations against me.”

Captain Warrington having concluded his address, handed in the following documentary evidence, which was read by the Deputy Judge Advocate:—

The first was a letter from Sir Hussey Vivian, which stated that from the opportunity which the writer had of witnessing the conduct of Capt. Warrington, in suppressing the disturbances in Hampshire, he displayed all the zeal and activity that could be required.

The second, from Sir W. Heathcote, a Magistrate of Hants, expressed the grateful recollections of that gentleman for the zealous and active co-operation he received from Captain Warrington, during the riots in that part of England.

The third, another communication from the same gentleman, stated it to be the invariable custom for every detachment of military employed on that service, to be accompanied by one or more Magistrates.

The fourth, a letter from Major-General Sir John Brown,

stated that the conduct of Capt. Warrington, as an officer and a gentleman, while under the command of the writer, was such as to merit his warmest approval.

The fifth, from Lieut.-Col. Story, of the 3rd dragoon guards, declared the conduct of Capt. Warrington to have been always perfectly correct, and that he was most zealous in the discharge of his military duty.

The sixth, from Lieut.-Col. Abercomby, bore testimony to the excellent conduct of Capt. Warrington as an officer and a gentleman. It stated him to be worthy, in all respects, the character of a British officer; zealous and active in the discharge of his duties; and that the writer would have felt the utmost confidence in Capt. Warrington acquitting himself, on every occasion, creditably and honorably.

The seventh, from Major Hadden, of the 3rd dragoon guards, stated Captain Warrington's character to be most exemplary in every respect; and that his zeal, activity, and intelligence were such, as to render him an ornament to the profession.

The eighth, from Major Maunsell, of the 3rd dragoon guards, declared Capt. Warrington to be most attentive to his duties, and most zealous in performing them. In Nov. 1830, when under the writer's command, he had acquitted himself to his perfect satisfaction.

The ninth, from Mr. John Frazer, formerly Staff-Major at the Cavalry Dep't, Maidstone, stated that during the eighteen months Capt. Warrington was under him, he had entertained the highest opinion of his conduct and principles as an officer and a gentleman.

The following witnesses were then called:—

*Cornet KELSON, examined.*

Did you hear Col. Brereton give any orders to Capt. Warrington, as he was marching into Bristol, on the 29th October?—I did.

State what they were?—I heard Col. Brereton tell Capt. Warrington that he was going to remain with the 14th dragoons, in the cattle-market; and that all orders to him (Capt. Warrington) must come through Col. Brereton. Some further conversation took place, but I do not recollect its precise signification.

*Private WILLIAM DENNER, examined.*

Did you hear Col. Brereton give any orders to Capt. Warrington, as he was marching with his troop into Bristol, on Saturday morning, the 29th October?—Yes.

As nearly as you recollect, state what those orders were?—In case the troop, or any part of it, should be wanted, he was not to turn out, except on an order from Col. Brereton, or on a requisition signed by two of the Magistrates.

Do you know whether any person, on Sunday evening, the 30th October, between 10 and 12 o'clock, called at Leigh's stables, to ask for military aid?—There were three persons.

Did you hear Capt. Warrington ask those persons if they were Magistrates?—Yes.

Did you hear Capt. Warrington refer those persons to Col. Brereton's quarters?—Yes.

*Private COLS examined.*

Did you hear any orders given by Col. Brereton to Capt. Warrington, on marching into Bristol, on Saturday morning, the 30th of October?—Yes; Capt. Warrington was not to move his troop out of the gaol, without the orders of two Magistrates.

Were there any other orders you heard given?—Nothing further.

Did you hear Col. Brereton give Capt. Warrington any general orders on the march to Bristol, for his guidance whilst in Bristol?—None but what I have stated.

Do you know whether any persons called at Leigh's stables, between 10 and 12 on Sunday night, the 30th October, to ask for the assistance of Capt. Warrington's troop?—Yes; three persons.

Did you hear Capt. Warrington enquire of those persons if they were Magistrates?—Yes.

What did they reply?—That they were not.

Did you hear Capt. Warrington refer those persons to Col. Brereton, at his quarters?—Yes.

Did Capt. Warrington express his willingness to go out with his troop if he had an order from a Magistrate to do so?—Yes.

*Private BROMLEY examined.*

When Capt. Warrington's troop was marching into Bristol, on Saturday morning, the 29th of October, did you hear Col. Brereton give Capt. Warrington any orders?—I did.

State what those orders were?—Directly we came over the bridge, and were going towards the gaol, I heard him tell Capt. Warrington he should not have an opportunity of being in the immediate vicinity where the troops were stationed, as his duty would call him to various parts of the town, that he himself (Col. Brereton) should keep a continual communication with the Magistrates, and that Capt. Warrington was not to turn out his troop, or send out any parties, without an order direct from him, or on a requisition, signed by two Magistrates.

*Sergeant-Major M'LEOD examined.*

Did you see the troop of the Dodington Yeomanry Cavalry in Bristol, on any part of Sunday, the 30th October last?—Yes; they formed in front of the Recruiting-Office, in College green, on or about 11 o'clock on Sunday night.

*By the COURT.*

Do you know what was the strength of the troop?—No.

[Close of defence on the first charge.]

*Cornet KELSON examined on the second Charge.*

Did you see a letter delivered to Capt. Warrington, at Leigh's stables, on Monday morning, 31st of October, purporting to be from the Mayor of Bristol, and addressed to Lieut.-Col. Brereton, or the officer commanding his Majesty's troops? — I did not see the letter delivered ; I saw Capt. Warrington reading a letter, about half-past three ; I cannot say to whom it was addressed, or the purport of the letter.

About how long did he remain in conversation with the person who brought him the letter? — About ten minutes.

State what you heard pass on that occasion? — I heard either Capt. Warrington, or the troop-sergeant-major, say, it was the King's regulations that a Magistrate should accompany any party sent out.

*Cross-examined.*

Have the kindness to recollect, if you can, whether it was Capt. Warrington, or the troop-sergeant-major that made that reply? — I cannot recollect which it was.

If that reply was made by the troop-sergeant-major, was it in Capt. Warrington's presence? — It was.

*Sergeant DEANE, examined.*

Did you see a note delivered to Capt. Warrington on Monday morning, the 31st of October? — I did ; about a quarter to four o'clock.

Did you hear any conversation between the bearer of the note and Capt. Warrington? — I did.

State what passed? — When the gentlemen brought the note they asked me for the commanding officer ; I thought they meant Captain Warrington, and directed them to the stable where he was amongst the horses. Capt. Warrington requested me to get a light for him to read the note. After reading it, he told them he was not the commanding officer, and requested them to take it to Col. Brereton, at the corner of College-green, and that they would be sure to find him there, or at the District Adjutant's lodgings. They then answered that they had been looking for him (Colonel Brereton) for three quarters of an hour or better, and could not find him. Captain Warrington expressed his willingness to act, if he could get a proper order, or be accompanied by a Magistrate. One of the gentlemen then said, he would expose Col. Brereton's conduct in the public papers.

Did you hear any thing said by either of the gentlemen who delivered the letter about taking the responsibility on himself, if Capt. Warrington would open the letter ; if so, state what was said? — One of them requested Capt. Warrington to open the letter, and said he would be responsible.

Were any orders given to you by Capt. Warrington, in the presence of those gentlemen, about bridling up the horses? — There was ; he ordered the horses that were then not bridled, to be bridled up immediately, as he expected to have orders to turn out directly.

Had you any reason to believe that the gentlemen who delivered this letter went in consequence of the above conversation, in search of the commanding officer of the troops; if so, state your reasons for such belief?—Yes, I had; at the time they were going away, Capt. Warrington requested of them to go to the corner of College-green, as I have before stated, where they would find Col. Brereton. A short time afterwards, Capt. Warrington said to me, "My God, what a time those gentlemen are away!"

After the receipt of the Mayor's letter, and before the detachment turned out to go to the Square, did you see a Magistrate call on Capt. Warrington for assistance?—I saw a gentleman talking to Capt. Warrington about wanting the services of the troop; Capt. Warrington told him, "I am ready and willing to act at any moment, if I could only see a Magistrate." He said, "I am a Magistrate." Capt. Warrington said, "Then accompany me." He hesitated for some time, and asked if that was according to regulation. Capt. Warrington said it was, or he must have an order signed by two Magistrates. He then requested Capt. Warrington to go along with him to Col. Brereton's. Capt. Warrington went with him, and previously ordered every man to stand to his horse.

Did Capt. Warrington show a willingness to go to Queen-square, in case he had proper authority for that purpose?—He did.

Did the person who had represented himself to be a Magistrate, offer to go with the detachment?—I don't remember that he did.

*Troop-Sergeant-Major MARTIN, examined.*

Did you see a letter delivered to Capt. Warrington on Monday morning, the 31st of October; if so, state at what time?—I saw a letter delivered to him between three and four o'clock.

Did you hear any conversation between Capt. Warrington and the bearers; if so, state it?—They requested Capt. Warrington to open it; Capt. Warrington at first refused; after some talking, they said they would take the responsibility upon themselves. Capt. Warrington then complied.

After the conversation, what became of the bearers of the letter?—They left the bazaar.

When the bearers of the letter were going away, did Captain Warrington give any orders; if so, state what they were?—One half of the troop was unbridled, and Captain Warrington ordered me to go and get it bridled up.

Were those gentlemen still within hearing when that order was given?—It is my impression they were not.

Did you see a person call at Leigh's stables on Monday morning, the 31st of Oct., and hear him state to Capt. Warrington that he was a Magistrate?—I did.

Did you hear any conversation take place between that person and Capt. Warrington; if so, state what it was?—When he first came in, he told Capt. Warrington that things had ar-

rived at such a pitch, that he must insist on his resorting to the utmost extremity. Capt. Warrington replied, that if he would show him a Magistrate he was ready to attend directly. He then replied, "I am a Magistrate." Capt. Warrington then said, "If you will attend me, I am ready to go." The person then asked if it was according to regulation that Capt. Warrington should be attended by a Magistrate. Capt. Warrington said, "Yes." The person calling himself a Magistrate then requested Capt. Warrington to attend him to Col. Brereton's, and Capt. Warrington went.

Did the conversation you have mentioned take place in the Horse bazaar?—It did.

*Private LLEWELLIN, examined on the third Charge.*

Were you one of the party which accompanied Cornet Kelson to the city gaol on Sunday afternoon the 30th Oct. ?—Yes.

Did you hear Captain Warrington give Cornet Kelson any orders as to the place where the detachment was to go, and from whom they were to receive subsequent instructions?—Yes; he gave orders to Cornet Kelson to march to College-green, and to wait for further orders from Col. Brereton.

Did you hear any thing said to Cornet Kelson by Colonel Brereton, before you went to the city gaol, about removing some of the party from the Mansion-house?—Col. Brereton desired Cornet Kelson to go to the Mansion-house, to take up that party, and proceed to the gaol.

*Sergeant DRAKE examined.*

Did you accompany a party of the 3rd dragoon guards, under Cornet Kelson, from Leigh's stables to College-green, about four o'clock on Sunday afternoon, the 30th October?—I did.

What was the strength of the party, and where was it desired to go, when it left Leigh's stables?—Eleven; it was directed to go to College-green.

*THOMAS DARRELL, Esq. examined.*

Did you accompany Capt. Warrington to Col. Brereton's lodgings, in Unity-street, on Sunday the 30th October, between seven and eight o'clock in the evening?—I did accompany an officer; I do not know whether it was Capt. Warrington.

Did you hear any conversation take place on that occasion between the officer you so accompanied and Col. Brereton; if so, state what it was?—I heard a few words; when I went in, the officer asked Col. Brereton what was to be done? Col. Brereton replied he did not know, he had no orders; or something to that effect.

Did you hear the officer you accompanied ask Col. Brereton if he had any orders for him?—I did not.

Can you recollect whether Col. Brereton's expression was, "I have no orders for you," or "I have no orders?" I believe he said, "I do not know what is to be done, I have no orders."

*THOMAS POMPETT, servant to Gen. Pearson, examined.*

Did you see Capt. Warrington call at General Pearson's, on Sunday evening, Oct. 30; if so, state at what hour?—Yes; between six and seven.

Where did General Pearson reside on that occasion?—At Prospect Cottage, Somerset-place, Clifton.

What time did General Pearson dine on that day, and was dinner over when Capt. Warrington arrived?—He dined at five o'clock, and dinner was over.

How long did Capt. Warrington remain with the General?—I should suppose about four or five minutes, from the time I let him in till the bell was rung for me to let him out.

How was Capt. Warrington dressed?—To the best of my recollection he was in uniform.

Do you recollect what sort of weather it was that evening?—It was wet.

Can you recollect how long after Gen. Pearson's dinner-hour it was when Capt. Warrington called?—I cannot, exactly.

*By the Court.*

Do you recollect whether Capt. Warrington came on horseback?—I do not recollect; there are several steps before the door, and I do not know whether he came on horseback or not.

An affidavit was here tendered by Captain Warrington, which stated that General Pearson was too ill to attend the Court. It also deposed to certain facts connected with Capt. Warrington's visit to the General on Sunday night, the 30th of October.

General DALBIAC, after looking over the affidavit, said his duty would not permit him to allow it to be entered on the minutes, as it prevented him from an opportunity of cross-examination.

It was then proposed by the President that if Capt. Warrington thought it essential to obtain the evidence of General Pearson, the Court should adjourn until to-morrow morning, and then meet at the General's house.

Capt. Warrington, after consulting with his friends, said the Magistrate before whom Gen. Pearson's affidavit was sworn was in Court, and had just informed him (Captain Warrington) that the General was in that dangerous state of health that if the Court adjourned there was no probability of obtaining his evidence. He would, therefore, waive the testimony of General Pearson altogether.

*Private DAILY examined.*

Did you receive any orders from Cornet Kelson on Sunday night, the 30th of October, to go to General Pearson's for Capt. Warrington?—I did.

At what hour, and what were the orders given to you?—About eight o'clock I was ordered to go to General Pearson's, and tell Capt. Warrington to return immediately.

Did you go direct to Gen. Pearson's?—I went to another place by mistake, and was then directed to the right place.

When you got to Somerset Cottage, did you find Capt. Warrington there?—No.

Did any person at Gen. Pearson's say how long it was Capt. Warrington had left the house?—The servant said he had left some time, but did not mention how long.

Did you return direct to the bazaar from Somerset Cottage?—I did.

How soon after your return did you see Capt. Warrington and at what place?—I saw Capt. Warrington directly after my return, at the Horse bazaar.

As nearly as you can recollect, what was the hour at which you saw Capt. Warrington at the Horse bazaar, after your return from Somerset Cottage?—I should think it was about nine o'clock, as near as I can recollect.

*Cross-examined.*

Do you know how many men and horses of the 3rd dragoon guards were there when Capt. Warrington arrived, after his return from Somerset Cottage?—I don't know.

*By the COURT.*

Do you know whether Capt. Warrington went to Somerset Cottage on foot or horseback?

[Capt. Warrington admitted that he went on foot.]

*JOHN CORFIELD, Waiter at Reeve's Hotel, examined.*

Were you sent for some medicine for Capt. Warrington on Sunday evening, Oct. 30th?—I was.

*Cornet KELSON recalled.*

Did Capt. Warrington absent himself from his quarters at Reeve's hotel, as far as you know, at any time during the Bristol riots, except when on duty, or when he told you he was going to General Pearson's?—Not at any other time.

Did you observe that Capt. Warrington was ill on Sunday evening, Oct. 30th?—I did.

*Cross-examined.*

At what hour was it that you observed Capt. Warrington to be unwell?—Capt. Warrington complained of being unwell when I returned from the gaol, about five o'clock in the afternoon.

*By the COURT.*

Was it raining at any period between seven and nine o'clock, on the Sunday evening?—I believe it was.

*Private DENNBY, examined.*

Did you hear Col. Brereton give any orders to Capt. Warrington on the morning of Monday, the 31st of Oct., between the hours of three and four o'clock, at Leigh's stables?—Yes.

State what you heard?—Col. Brereton was coming on horseback after Capt. Warrington. He called to Capt. Warrington, and told him to get his troop out immediately, or a part of it. Capt. Warrington wished to go himself with his whole troop. Col. Brereton said, "No, you must remain here, with a few men, as a reserve." Capt. Warrington said, "I would much rather go out myself." The Colonel replied, "No, Captain, I think you are very much fatigued, and want some rest, for you look very poorly." Capt. Warrington said, "That he was not more so than Mr. Kelson, and the rest of his troop." Col. Brereton rode off instantly, and desired him to take his advice.

Were you at that time sentry at the lower end of the yard?—Yes.

At which end of the yard were Col. Brereton's orders given to Capt. Warrington?—At the lower end.

Sir C. DALBIAC said, that the evidence of this last witness went to break down testimony which he thought incontestible; he, therefore submitted that he might be allowed to call fresh witnesses, with regard to the time stated. This he proposed to do after Capt. Warrington had closed his defence.

*Private J. GRAHAM examined.*

Did you hear Col. Brereton give any orders to Capt. Warrington, at Leigh's stables, about four o'clock on Monday morning?—I did; Col. Brereton rode up to Capt. Warrington and told him one-half of the troop would do: that he knew that Capt. Warrington was very much fatigued, and might remain in quarters as a reserve.

Can you speak positively as to the time when this conversation passed, or is it only from conjecture?—I consider it to have been about four o'clock, as nearly as I can possibly tell.

*By the Court.*

How long was it before the troop was ordered out, that this conversation took place?—Just as the troop had turned out.

*C. BLISSETT, Esq. examined.*

Did you walk with Col. Brereton to the corner of College-green, about four o'clock on Monday morning, the 31st of October?—I did.

Did you see him turn down in the direction of Leigh's stables?—I did.

Did any conversation pass between you and Col. Brereton relative to the duty he was going on; if so, state it to the Court?—He said he should be most happy to accompany the troops to the Square, and that he should be on his horse in three or four minutes.

Did he state any thing relative to the duty he was going on?—I do not recollect that he stated any thing further. He said he was going for his horse when he turned down to Leigh's stables.

Had you accompanied Alderman Camplin and Mr. Danson to Unity-street, or did you see those two gentlemen before you met Col. Brereton on that morning?—I did not accompany them, but I saw them there outside the door.

*Cornet KELSON recalled.*

Did Col. Brereton, when you met him at four o'clock on Monday morning, express any surprise that Capt. Warrington and the remainder of his troop had not come with the detachment under your command?—He did not.

#### SIXTH DAY.—TUESDAY, January 31.

The Court was not so much crowded as on the preceding day, probably owing to the sentries being more vigilant in preventing many of the tickets from doing double and triple duty.

*Major MACKWORTH, examined for the defence.*

Had you any opportunity of judging of Capt. Warrington's conduct during the Bristol riots?—I had.

State the opinion you formed of it?—I thought he shewed great willingness to act and strict obedience to his orders.

Did Cornet Kelson of the 3rd dragoon guards command any detachment of that regiment during the disturbances in the Forest of Dean in 1831, under your orders?—He did.

What opinion did you form of his efficiency?—I thought he did his duty in an active and intelligent manner.

*Cross-examined by the PROSECUTOR.*

Had you any opportunity of judging of Capt. Warrington's willingness to act between sunset on Sunday night, the 30th and sunrise on Monday morning, the 31st of Oct.?—None.

Had you not left Queen-square before the arrival of Captain Warrington with the reserve of his troop, on Monday morning the 31st of Oct.?—I had.

*By the COURT.*

What were the orders, to which you have alluded, that Capt. Warrington received?—I heard him repeatedly ordered by Col. Brereton to clear the Square on Saturday night, and I saw him instantly and effectually obey his orders.

During the whole time you had an opportunity of witnessing Capt. Warrington's conduct, did he in any instance evince a want of vigor and activity requisite in the situation in which he was placed?—In no instance within my knowledge.

Under whose orders did Capt. Warrington act on Monday morning the 31st of Oct.?—I don't know.

*Major Beckwith, 14th Dragoons, examined.*

Were you in command of the cavalry in Bristol on Monday, the 31st of October last?—I commanded the 14th dragoons. Col. Brereton was the superior officer, and I gave all the material orders.

Did you give any orders to the 3rd dragoon guards on Monday morning, the 31st of October?—About ten o'clock on Monday morning, I recommended Capt. Warrington of the 3rd dragoon guards what to do. About twelve o'clock Colonel Brereton gave me authority to give orders to the 3rd dragoon guards, if I deemed it necessary. Accordingly, after that time, I did give them the necessary orders.

Did you see Capt. Warrington employed with his troop in Queen-square on Monday?—I did.

Then you had an opportunity of observing Capt. Warrington's conduct during a considerable period of the riots. Did he shew every disposition to co-operate with the Civil Authorities?—It would be impossible for me to give the Court a correct idea of what I know of Capt. Warrington's conduct, unless I be permitted to give some detail of the circumstances in which he was placed when I arrived in Bristol.

Please to state the circumstances in which Capt. Warrington was placed?—To do so I must relate in what manner I saw the Civil and Military Authorities co-operate.

[The President requested Major Beckwith to confine himself as strictly as possible to the conduct of the prisoner, and avoid implicating parties who were not on their trial before this Court.]

The Major proceeded.—On reaching Bristol on the morning of Monday, the 31st of October, I immediately went to the Council-house, where I found the Mayor and several Magistrates, who appeared to me bewildered and stupefied with terror. On hearing the state of affairs in Bristol, I urged that one or more of the Magistrates should accompany me on horseback for the purpose of restoring order. They all refused to do so.—

[The President again requested the witness to limit his observations to the conduct of Captain Warrington, and to avoid alluding to parties not before the Court, unless their conduct went to exculpate the prisoner from any portion of the charges against him. On that ground only could the Court permit persons to be implicated who were not here upon their trial, and had not the opportunity of making their defence. To deviate from this course would be the height of injustice. Major Beckwith then proceeded to take up the thread of his evidence.]

— stating that it would make them unpopular, and cause their property to be destroyed. They also said, that none of them could ride on horseback except one, whom I pressed to accompany me, but he declined, saying he had not been on horseback for 18 years. Seeing therefore that no assistance could be had from the Magistrates, I demanded and received from them a written authority to take what measures I deemed expedient. From what I have related, and from what I saw in another quarter, to which I cannot advert, the impression on my mind was that Captain Warrington and the 3rd dragoon guards were in a great measure paralysed by the imbecility and misconduct of those who ought to have directed them. I have further to state that during the time I had a personal opportunity of observing Capt. Warrington, he appeared to me alert, zealous, and desirous to do his duty.

*By the Court.*

Under whose immediate command was Capt. Warrington acting on the morning of Monday, 31st Oct. previous to 10 o'clock? — I suppose under that of Col. Brereton.

During the whole time you had an opportunity of witnessing Capt. Warrington's conduct, did he in any instance evince a want of the vigour and activity requisite in the situation in which he was placed? — I do not think he did.

In your answer to a former question you have made use of the phrase "ought to have directed them;" do you mean to allude to the officer commanding the troops, or to the Magistrates? — To both.

At the time you drew the conclusion you have mentioned relative to the conduct of those who directed or ought to have directed the troops, were you aware of the letter of the Mayor dated at 3 A.M. on Monday morning, directing the officer commanding his Majesty's troops to take the most vigorous, effective, and decisive measures in his power to quell the existing riots? — Yes.

At what time on Monday morning did you arrive at the Council-house? — About 7 o'clock.

Were you acquainted with the demand made in the Mayor's letter alluded to, when you requested written instructions for your own guidance? — I was not.

Had not Capt. Warrington acted with his troop in Queen-square on Monday morning previous to your arrival? — I found him with part of his troop in the Square about half-past seven, when I first went there.

*Captain GAGE, 14th Dragoons, examined.*

Were you with the 14th dragoons in Bristol, during the riots on the 29th, 30th, and 31st of October last? — I was.

Did Capt. Warrington in any instance when you had an opportunity of witnessing his conduct, evince a want of the vigor and activity requisite in the situation in which he was placed?—No—I should say quite the reverse.

*Lieut. Dawson, 14th Dragoons, examined.*

Were you with the 14th dragoons at Bristol during the riots on the 29th, 30th, and 31st of October last?—Yes.

Did you at any period on the days referred to observe that Capt. Warrington was unwell?—Yes.

Had you any opportunity of judging of Capt. Warrington's conduct during the riots on the days mentioned; if you had, state your opinion of it?—I saw him on Saturday night, between seven and ten o'clock keeping the front of the Mansion-house, he was then at the head of his troop, and seemed active and alert.

This was the last witness for the defence.

Captain WARRINGTON addressed the President, and said—“ I now beg leave to apprise the Court that I have closed my defence, notwithstanding that I have been deprived the benefit of a material evidence, that of General Pearson, as the Court are aware. I leave my honour and my character in the hands of the Court, and feel assured that I can confidently rely on its impartial decision.”

#### SEVENTH DAY.—THURSDAY, Feb. 2.

A document was handed in by Captain Warrington and read by the President. It contained the military orders of Lord Hill to Sir Colin Campbell, commanding in the South-west district in the latter part of 1830, when Capt. Warrington was on service there. The portion of the document to which Capt. Warrington particularly directed the attention of the Court was to the following effect:—The officer commanding any detachment called out by the civil power is invariably to require a Magistrate to accompany him, or a written order signed by two Magistrates.

Sir C. DALBIAC.—I am extremely glad the prisoner has put in that document. He will find that I have done him full justice with regard to that part of his duty to which it refers.

Sir C. DALBIAC then proceeded to read the following REPLY.

“ Mr. President, and the Members of this Honourable Court,—I now approach the last stage of the painful duty which I have had to sustain during this trial, and I know not how I can better commence this portion of

my task than by stating to this Honourable Court how distinctly I am aware of one melancholy disadvantage under which the prisoner has laboured in conducting his defence. The tragical event which brought the recent proceedings of a former Court to an abrupt termination, has unhappily deprived Capt. Warrington of a witness whose testimony might have been most important to his cause ; and I am not only willing, but most desirous that the loss which he has sustained, may steadily be kept in view by his Judges.

“ I must, however, with perfect freedom, confess that this disadvantage does by no means appear to me so severe as the prisoner himself may have been tempted to imagine. My own honest impression, upon a dispassionate survey of the evidence, is, that the points of his defence which have been weakened by the removal of his commanding officer, are not of essential and vital importance to his case. I feel the clearest confidence that it will be in my power to satisfy this Court that if that witness had been here to speak for the prisoner, his testimony could have done nothing more than provide him with certain topics of extenuation. It might in certain points of subordinate moment have strengthened his vindication, but in my conscientious belief it could by no possibility have protected him against the main force of the Charges which have been preferred in the accusation.

“ I repeat, however, that it is my most earnest desire that the most liberal estimate should be made by the Court, which the disadvantage alluded to may have inflicted on the prisoner; and as a pledge of the sincerity of this declaration, I now protest, that in the review of the evidence which I am about to submit to the Court, I have made it a part of my own business to weigh and measure every atom, if I may so express it, of the injury which the silence of the grave may have brought upon the case of the prisoner ; and I have felt myself bound in common justice to the prisoner, to make fair allowances in every particular of his case, in which the voice of the witness he had lost might have been lifted up in his defence.

“ On the other hand, if it becomes our duty to take care that in the defence which the prisoner has put forth,

he be not permitted to magnify the importance of the testimony of which he has been deprived, or to raise this negative circumstance, as it were, into a bulwark of positive *exculpation*. Neither can we forget the delicacy and the justice which are due to the memory of that witness, whose loss the prisoner had to deplore.

"It must be remembered that were that witness at this moment amongst us, on many points he could scarcely open his mouth in *exculpation* of the prisoner, without pronouncing, to the same extent, his own *condemnation*. Those very circumstances which may be alleged by Capt. W. for the purpose of relieving himself from some of the weightier parts of the Charges preferred against him, are the *very* circumstances which would press most heavily on the character and the memory of his late commanding officer. And as that officer has never been *proved* guilty, and is now cut off for ever from the possibility of offering a word in explanation of his own conduct, it behoves us to be guarded in giving a hasty ear to topics of defence, which, if admitted in too comprehensive a sense, could scarcely fail to bring dishonour upon the name of the deceased.

"Such are the difficulties and such the embarrassments which beset the remaining portion of my invidious and painful office! Nor is this all! Another circumstance has arisen materially to increase those difficulties and embarrassments.

"The prisoner has pleaded in extenuation of his conduct throughout Sunday night, the 30th, and part of Monday morning, the 31st October, that during that awful period of the Bristol riots no Magistrate or peace officer ever made his appearance at the quarters of his troop to require, to direct, or to enforce the employment of the military in any attempt to put down the riot, until Mr. Alderman Camplin arrived, between 4 and 5 o'clock on Monday morning, at the horse bazaar, and that until the receipt by Capt. Warrington of the Mayor's letter, dated 3 o'clock that morning, no Magistrate was to be heard of.

"The plea, however, which the prisoner has set up of a want of activity on the part of the Magistrates, has been justified by evidence produced before the Court;

first, incidentally in the reply of a witness to a question *put by the Court* in the course of the prosecution, and again in the general statement of a witness examined on the defence. Although, therefore, I do not stand here to impeach the conduct of the Bristol Magistrates, I conceive it would be utterly at variance with the impartiality which I have professed to maintain between the King and the prisoner throughout this trial, were I to decline admitting that the absence of all Civil Authority from the station of the military during the awful night of Sunday, and until the arrival of Mr. Alderman Camplin at the horse bazaar, between 4 and 5 o'clock on Monday morning, was a circumstance calculated, in a variety of ways, to prove prejudicial to the small military force then employed in Bristol; and in full justice to the prisoner I must also remark, as the document is recorded by the Court in evidence against him, that the letter of the Chief Magistrate of the city is dated simply, "Bristol, 3 o'clock, Monday morning, 31st Oct.", without any designation of the house or the spot to which reference could be had to the said Chief Magistrate, in case of urgent or further necessity. I consider myself bound to make these admissions, grounded as they are *upon the evidence which has been produced before the Court*, purely that the amplest measure of justice might be done to the prisoner's defence, and that the Court might be fully satisfied that the demerits of others have not been suppressed by the prosecutor, in order to throw out into bolder relief the demerits of the prisoner. It appears to me, however, that no circumstance of this kind can relieve the prisoner of any material part of the accusation against him. I shall have it in my power to shew that the weighty parts of the Charges are distinct from any influence which the conduct of the Civil Authorities, or the orders of the commanding officer, ought to have produced upon the conduct of the prisoner; nor can it be contended, before a Court like this, that because an officer's difficulties increase beyond what he had a right to expect, he is on that account to abandon his duty altogether.

[The gallant General here proceeded to comment upon the evidence, which he did at some length, and with much ability, particularly with regard to the exact time deposed to.]

"I have been led to trouble the Court at some length upon this point, not from any apprehension that the judgment of this Court can be influenced by the question, as to whether the offence imputed to the prisoner was committed a few minutes *before* or a few minutes *after* 11 o'clock, but because the time fixed by Mr. Kington, which I hold to be erroneous, has been made available by the prisoner in mitigation of a different portion of the general accusation—namely, the third count of the third charge.

"The premises and the coincidences, as to time and circumstance, which are attached to the accusation in the 1st charge, having been thus disposed of, the essence of that charge resolves itself into a narrow compass, namely,

"That he, Captain Warrington, did not only refuse "to order out the said troop, or any part thereof, or "to take any step for the purpose so stated, but used no "means of conveying the information so received by "him, or the purport thereof, to Lieut.-Col. Brereton, "who then held the chief Military Command in the city, "or of obtaining from the said Lieut.-Col. Brereton "any order applicable to the occasion."

"And here I must observe, in answer to the appeal made by the prisoner to the Court, as to whether he was bound in the words of the charge, "to order out the troop," &c. that the accusation is not to the effect of his having disobeyed the order of a Magistrate, but that being informed by a person of respectability of the danger to which His Majesty's Custom-House was exposed, and knowing, as Capt. Warrington *well* did, the enormities which had been committed by the mob throughout the whole day, he did not take those measures which a regard for the public safety, the honor of his Majesty's arms, and his own character, as an officer, demanded of him.

"I shall not stop, at this stage of my reply, to argue the question, how far an officer, being second in command of a body of his Majesty's troops, under the circumstances, in which the city of Bristol was placed during the awful night of the 30th October, would be justified in adhering to *general* instructions, not to move from his quarters without express orders from his supe-

rior in command, when it is considered that the whole city was threatened with destruction, that each succeeding moment was big with increasing danger, and that for many hours together (as alleged by the prisoner himself) the Commanding Officer was not to be found where he ought to have been found, or at least to have been heard of—namely, at the office assigned for official communication, and when on that account the most natural inference certainly might be either that he had been intercepted by the rioters, or that some other casualty had befallen him.

“ But if the commands which the prisoner received not to move from his quarters without the express orders of his superior officer, were of so very peremptory a nature, there should at least have been *consistency* in the prisoner’s obedience. He should not have adhered to those commands upon some occasions, and have departed from them upon others. An officer has no right to blow hot and cold in the same breath, upon questions of duty; he has no right to play fast and loose with his command, at a time when the public safety and the honor of his Majesty’s arms are set at their highest stake.

“ It is distinctly shewn by the testimony of Mr. Gresley, produced in support of the first count of the third charge, (to which I shall have occasion again to revert) that the prisoner at 3 o’clock on the same afternoon of Sunday the 30th had *of himself* ordered out a detachment under Cornet Kelson, to proceed to the New Gaol, without any previous authority for so doing. But the most remarkable circumstance attending the prisoner’s refusal to comply with the entreaties of Mr. Kington, is, that at the very moment when he did refuse to comply with the said entreaties, the prisoner was in the act of violating, and did then absolutely violate the express orders which he alleges to have received from the commanding officer. Cornet Kelson and Troop-Serjeant-Major Martin distinctly depose that the *only* occasion when the troop or any part of it turned out *mounted* between ten o’clock on Sunday night, and some short time before 5 o’clock on Monday morning, was when Reeve’s Hotel was attacked by the rioters (that is about 5 or 10 minutes past 11 o’clock); upon which occasion John Corfield

deposes, that Capt. W. came down from his bed-room, that he retired out of a side door of a house towards Leigh's bazaar, and shortly afterwards appeared mounted at the head of his troop in front of the hotel. Cornet Kelson and Troop-Sergeant-Major Martin also depose (as does J. Corfield,) that Capt. W. on that occasion was at the head of his troop, and that the troop proceeded to the front of Reeve's Hotel to repel the rioters. The Troop-Serjeant-Major further states that the *whole* troop (save a corporal and four men then absent on duty) turned out to repel the attack on Reeve's hotel, and that the troop first formed in front of the Bazaar stables; which latter circumstance is also confirmed by Mr. Stephens. Now I beg to draw the particular attention of the Court to that part of Mr. Kington's and Mr. Stephens's testimony, wherein both those witnesses state, that when Mr. Kington applied to Capt. W. for the services of his troop to save his Majesty's Custom House, they found Capt. Warrington at the Horse Bazaar, *mounted at the head of his troop*, and that the troop was *mounted* also.

"It is quite impossible that this could have occurred before the prisoner had descended from his bed-room and had retired by a side door from the hotel; and as it has been distinctly proved that the troop never did turn out *mounted* between 10 o'clock on Sunday night and a little before 5 on Monday morning, except upon the occasion of the attack on Reeve's hotel, I do contend,—nay, with every possible deference and respect I do insist,—that I have produced proof incontestible, that, upon the *very* occasion, upon the *very* spot, and at the *very* moment, when the prisoner in answer to Mr. Kington's entreaties replied that he "*could not move* without the express orders of Lieut.-Colonel Brereton," the prisoner *had violated* those express orders by turning out the troop for the purpose of proceeding with it to Reeve's hotel; and this most unquestionably upon his own responsibility; for not only had there been no time for the said restrictive order to be rescinded by Lieut.-Colonel Brereton, but Capt. W. did himself declare to Mr. Kington at the *very same moment* that he knew not where Lieut.-Col. Brereton was to be found. Moreover, the prisoner thought fit to repair with his

troop to Reeve's hotel without a magistrate, and yet the rioters had committed acts of outrage, and (for aught the prisoner knew to the contrary) when the troop turned out, he might just as readily have been brought into collision with the rioters there as in any other quarter of the city. I can quite appreciate the feeling that would prompt an officer to afford protection to the owners of an hotel where he had been courteously entertained, and whence he had just before escaped from the attack of the rioters; but I cannot comprehend the feeling under which an officer, after having ordered out and headed his whole troop for the protection of the private property of an individual (upon an occasion when the number of the rioters positively fell short of the number of the dragoons) could in the very same moment, and in the very same breath, declare, that he "*could not move*" any of his force to that quarter of the city where he knew that the rioters were proceeding in the destruction of property with systematic progression and with most appalling rapidity. It cannot surely be contended that a few broken windows at Reeve's hotel were to be put in competition with the destruction of his Majesty's Custom-house and the buildings with which it was surrounded! If then Capt. Warrington, in defiance of express orders, which he alleges to have received, and without a Magistrate, considered himself justified in turning out his troop to repel a body of rioters at the distance of 130 or 140 yards from their stables, I contend that he had no right to urge inability to move his troop to a greater distance without further orders from his superior officer, whom he alleged he could not find, or without the personal attendance of a Magistrate whom he alleges he could not procure.

"With respect to that part of the 1st charge which imputes to the prisoner his having used no means for conveying the information received by him to Lieut.-Col. Brereton, or of obtaining from the said Lieut.-Col. any orders applicable to the occasion, I have to submit some observations. [Sir Charles again referred to and commented on the evidence.]

"A question was put by the Court to Cornet Kelson, towards the close of his evidence on the 27th January,

whether he conceived the order which he conveyed to Capt. Warrington not to move without Lieut.-Colonel Brereton's orders, was intended to refer *personally* to Capt. Warrington, or to him and the force under his command. Cornet Kelson replied, that he understood the order to refer to Captain Warrington *personally*. Such interpretation however, of the order in question would, in my humble opinion, tend so essentially to lower Capt. Warrington in the eyes of his regiment, and of the service at large, and so wonderfully to raise Cornet Kelson's professional importance above that of his commanding officer, to a degree far beyond what his rank or his pretensions could possibly justify, that I must endeavour to rescue the memory of Lieut.-Colonel Brereton from the admission of so glaring an incongruity, as that of shutting out the services of an officer of Captain Warrington's experience, who was also next to himself in command, and of preferring to place his confidence in a young officer of only sixteen months standing in the army, when engaged upon a duty as delicate and important as any in which troops were ever employed. I cannot, therefore, but ascribe the extraordinary interpretation which was put upon that order by Cornet Kelson, to his want of experience in the service.

"Under either interpretation, however, the order was disobeyed by the prisoner; for if it was intended to refer to him, and the force under his command, he was not justified, according to his own shewing, in turning out within an hour afterwards, at the head of his troop at the mere request of the owners of Reeve's hotel, to quell a body of rioters who had attacked their house and premises, without the express authority of Lieutenant-Colonel Brereton, as well as the personal attendance of a Magistrate; and if the said order was intended to refer to Capt. Warrington *personally*, or to him *alone*, how can the conduct of the prisoner be accounted for in having kept Cornet Kelson and his troop shut up in their stables from 11 o'clock on Sunday night till half-past four on Monday morning—an awful interval of more than five hours, throughout the whole of which the robber and the incendiary were proceeding uncontrolled from atrocity to atrocity, at a time when public

and private property was consigned to fire and pillage, in systematic progression, and when the whole city of Bristol seemed threatened with universal destruction.

"In proceeding to a consideration of the 2d charge, I may observe that certain of the premises, or of the coincidences as to time and circumstance which are embodied in the accusation, have been proved in the evidence already referred to in the review of the 1st charge, to which there can be no necessity to revert. I shall therefore address myself at once to the substance of the offence. In the first place, I may venture to affirm without any fear of contradiction, that the testimony with respect to periods of time which has been produced in support of the 2d charge, has been given with most singular but with most *unquestionable* precision. The Chief Magistrate of the city addresses a letter to "the officer commanding his Majesty's troops," he puts his own signature to it, and he dates it "three o'clock Monday morning, 31st of October, 1831."—[The gallant Prosecutor here recapitulated the evidence on this fact.]—Had Capt. W. acted upon the Mayor's letter, as it was his duty to do, when he first broke the seal and read the contents thereof, it is as certain as calculation can make it, that with only a moderate degree of activity on the part of Capt. Warrington, the troop might have reached Queen-square before half-past three o'clock, the distance from Mr. D. Fripp's house whence the Mayor's said letter was dispatched being distant from Queen-square, by the way of the Horse bazaar, not more than about three quarters of a mile; so that even then, Capt. Warrington would have had it in his power to have saved the south wing of the west side of Queen-square, which was all or nearly all destroyed between the hour of half-past three and five on the Monday morning: The unaccountable apathy displayed by the prisoner in having omitted to make a single attempt or effort to communicate with Lieut.-Colonel Brereton, between the hours of 11 on Sunday night and half-past four on Monday morning, has been fully shown by the observations which I submitted to the Court upon the evidence produced in support of the 1st charge, which observations need not be repeated here. But in reference to a question put by the prisoner to Sergeant

Deane, as to whether he, Capt. Warrington, did not express his surprise that Mr. Goldney and Mr. Harris were so long in returning from No. 2, in Unity-street (where Capt. Warrington seems to have expected they had gone to report the nature of the Mayor's letter to the officer commanding,) it may naturally be asked, how Capt. Warrington could reconcile to himself to confide an official communication of such importance, and at so critical a moment, to a private individual, when he could so easily have conveyed the said letter himself, or at any rate have dispatched it to Lieut.-Col. Brereton, by a trusty non-commissioned officer.

" But, unfortunately, that letter appears to have been put into the prisoner's pocket and to have been disposed of with almost as much indifference, as though it had contained an invitation to dinner—one of the prisoner's replies being that he should see Lieut.-Col. Brereton at six o'clock, and would then deliver the letter ; nor has there been any thing to show that such might not have been its fate, had not Alderman Camplin called at the Bazaar for the services of the troop between four and five o'clock on Monday morning.

" The prisoner put a question to Mr. Goldney and Mr. Harris in the cross-examination, as to whether the former had not offered, if Capt. Warrington opened the Mayor's letter, to take the responsibility on himself—to which both those gentlemen replied in the negative. The same question, as relating to Mr. Goldney, is put to Sergeant-Major Martin and Sergeant Deane, who both reply in the affirmative. But I have been totally at a loss, ever since the question was first put, as to any *possible* object it could have. I know but of *one* sort of responsibility of any consequence to the prisoner—that is, his responsibility to the King ; and how that responsibility could be lightened by any act or promise of a private individual, I am quite at a loss to conjecture. Upon the whole, then, it is my painful duty to contend, that with respect to the substance of the 2nd charge, Capt. Warrington is entitled to no relief whatever, either from any supineness of the Civil Authorities, or by reason of any command which he could possibly have received from his superior officer. The prisoner was second in command in Bristol, and at the very moment

that he broke the seal of the Mayor's letter, and read its contents, it ought to have been conveyed by a safe and certain hand to Lieut.-Col. Brereton, if he was to be found; and if he was not to be found, Capt. Warrington had *constituted himself* the representative of his superior officer, and should instantly have acted upon the contents of the letter. By neglecting to do so, he compromised not only his own character as an officer, but the character of his superior in command, as well as the honour of his Majesty's arms.

" I proceed now to a consideration of the 3rd charge, and in respect to the 1st count of that charge, I have to observe that Cornet Kelson admits his being *in doubt*, as to whether Capt. Warrington ordered him to take up a party in Queen-square, or whether Capt. Warrington told him to tell Lieut.-Col. Brereton that there was a party in Queen-square which might be taken up, to join the party which marched from the bazaar by Captain Warrington's orders, in order to proceed to the new gaol. But, as in either case Capt. Warrington might be the proper person to command the two parties, when united, it surely behoved Capt. Warrington to take the trouble of accompanying Cornet Kelson for 200 yards across College-green, to receive Lieut.-Col. Brereton's directions; for it is distinctly shewn by the testimony of Lieut. Francis and the Staff-Sergeants, that the order to turn out that detachment did not emanate from Lieut.-Col. Brereton. Not one word has been adduced to shake the unsophisticated evidence of Mr. Gresley, who states that he made the requisition for military assistance, to defend the goal, to Capt. Warrington in the Coffee-room at Reeve's hotel. He details the order given by Capt. Warrington to Cornet Kelson upon that occasion, *precisely in the terms* in which that order was carried into effect—which statement coming from a person of Mr. Gresley's situation in life, namely, that of a ship-builder, could not by possibility have been conjured up in his own imagination, and may therefore be received as *strictly correct*.

" The collective essence of the 2nd and 3rd counts of the 3rd charge is, that in the course of the 30th of Oct. the prisoner 'absented himself from his quarters for a considerable time,' &c. and that 'having returned to

his quarters, during the absence of nearly the whole of the disposable part of his troop, he, in place of proceeding to join the same, &c. retired to his bed.'

"The two counts appear to me to form a complete Scylla and Charybdis, for in whatever proportion the weight of one charge may be relieved with respect to time, the weight of the other charge must be increased. I shall take the time as stated by Cornet Kelson, namely, that Capt. Warrington gave him orders, about seven o'clock on Sunday afternoon, to send to him at General Pearson's, at Clifton, in case he should be wanted, and there is every reason to suppose that at seven o'clock Capt. Warrington left his quarters. Cornet Kelson also states, that upon his return with the detachment from duty, at about a quarter before ten, he found Capt. Warrington *all but* undressed, and in the act of getting into *bed*, at the hotel. Private Dooley states, that Capt. Warrington returned to the bazaar about nine o'clock. It would appear, then, that Captain Warrington was absent from his quarters about 2 hours, which absence relates to the essence of the 2nd count; and that he was three-quarters of an hour in the bazaar, or at the hotel, after his return, which relates to the essence of the 3rd count. With respect to the former count I have nothing further to add,—the charge is proved. With respect to the latter, I must observe, that when Capt. Warrington arrived at the bazaar at nine o'clock, *twenty-eight* men and horses out of *thirty-three*, were on duty, viz. twenty which had proceeded to the Bishop's palace, and eight which had been previously sent to Queen-square. Now, will it not appear extraordinary to the Court, that, when the prisoner so returned to the bazaar at nine o'clock, and found only five men and horses of his troop left in quarters, and knowing the nature of the duty on which the troop had been sent, aware of the appalling state in which the city was placed, and observing the conflagrations which were then vomiting forth in different quarters of it, he should have had no anxiety, or even curiosity, to cross College-green, to enquire in what manner his troop was engaged, and whether his own services could be of any avail? I do not entertain the slightest doubt that Capt. Warrington had felt unwell at some short time previous to the return of Cornet

Kelson to the hotel ; but in the full discharge of my duty, I must observe, that at seven o'clock on that evening, Captain Warrington was capable of walking to General Pearson's house at Clifton—that he did not return to the hotel till nine o'clock—and that in about one hour, after he had retired to his bed, he was perfectly capable of appearing at the head of his troop to repel the rioters who had attacked the front of Reeve's hotel—and under all the circumstances of that awful night, no illness short of some risk of absolute destruction of health, ought to have restrained the prisoner from proceeding in search of the force entrusted to his charge, when upon his return to the hotel he found the troop had escaped from his command ; especially as the point to which it had been directed was within 200 yards of the prisoner's quarters.

“ With respect to the 4th Count of the 3d Charge, my humble opinion is that it falls to the ground. But although the detachment which proceeded to Queen-square on Monday morning, the 31st Oct., appears to have been dispatched thither under directions issued by Lieut.-Colonel Brereton, I should not discharge my duty, were I to omit remarking upon the extraordinary arrangement with respect to the divided command of Capt. Warrington's troop upon that occasion, as developed by the prisoner *in his defence*—for it appears by his own shewing, that after Cornet Kelson marched off with the detachment, Lieut.-Col. Brereton had nothing to do with the reserve, or the time or occasion for its being called upon. But Cornet Kelson, the *inferior* Officer, is to send for Capt. Warrington, his *superior* Officer, without any reference to Lieut.-Col. Brereton, *as soon* as there is any thing to do: and how does the Cornet obey that order ? He waits till near 7 o'clock before he sends for his Captain, although the detachment was called upon two hours before 7 o'clock to use force for effectually putting down the rioters.

“ Having thus gone over such parts of the evidence produced before the Court as appear to me to be essential to the case, I should no longer have trespassed on the time of the Court, had not the prisoner, upon several occasions, rested his justification, either directly or indirectly upon the impossibility or illegality of his

acting in *any* case against the rioters, without the positive and personal attendance of a Magistrate.

The instructions on which the prisoner acted last winter in the south-western district certainly were to the effect, that no troop or detachment was to be taken out but by the written requisition or personal attendance of a Magistrate, without which restriction his Majesty's troops would have been harassed in all directions upon every village disturbance or expected disturbance, or whenever a private gentleman chose to fancy that an attack was about to be made on his house or premises. But surely the position of an officer holding a detachment commanded in a disturbed district, under circumstances such as I had represented, is not to be laid upon a parallel with the position of an officer placed in command of a troop, under circumstances such as those in which the prisoner stood in this city, between mid-day of the 30th of Oct., till sunrise of the following morning, during which most awful period the rioters were proceeding in systematic progression, from outrage to outrage, and from enormity to enormity, without check or control, and when the whole of this vast and opulent city was threatened, under the prisoner's own eyes, to be included in one general conflagration!

"Does the prisoner mean to infer that if, whilst he was acting in the South West District, under Sir Wm. Heathcote's directions, that gentleman's house had been about to be fired by a body of incendiaries, whilst the owner was from home, and if the prisoner had chanced to be passing by at the time with his troop, he would not have used force to check so daring an outrage? Or had Winchester Gaol been forced by a body of rioters, no peace officer being present, and had the prisoner been at hand with his troop, that he would have hesitated to repel the tumult and the outrage, to disperse the delinquents, to take them into custody, or, if driven to the last extremity, to put them to death?

"The principle then which most alarms me in the prisoner's address to the Court, and which he has attempted to maintain in different parts of his defence, is, that the refusal of an officer to act without a Magistrate is "*in strict accordance with the rules of the service.*"

“ Standing as I do here, at the suit of my Sovereign, I should ill indeed acquit myself of the trust which has been reposed in me, were I not to record upon the proceedings of this Court, my most distinct and decided protest against the doctrine thus set up by the prisoner—a doctrine at variance with all the declared opinions of our soundest crown lawyers since the days of Elizabeth—a doctrine NOT “*in strict accordance with*,” but most decidedly opposed to, the orders and regulations of his Majesty’s service, as well as to the law of this land—a doctrine calculated not only to destroy the moral as well as the professional principles of the soldier, but to expose the person, as well as the property of the subject, to violence and destruction—a doctrine which, if admitted, would enable every officer, when placed in command of his Majesty’s troops, for the suppression of tumult, to place the inertness of the civil power between himself and the personal responsibility of his station, and, under the protection of such inertness, to shelter himself from blame and disgrace.

“ I need hardly observe to this Court, that the regiments of cavalry in Great Britain are for the most part dispersed over the whole face of the country, and that cavalry, from the nature of its arms, is more frequently called out than any other branch of his Majesty’s forces for the suppression of riots.

“ A duty more delicate or more invidious, yet more important, can scarcely be conceived, than that in which a military officer is engaged, when employed, either with or without a peace officer, for the suppression of tumult and the preservation of the public peace; and the case now unhappily before the Court affords a most deplorable illustration of the evils that may arise, from a misconception of the principles by which the discharge of this duty should be regulated.

“ The Court cannot fail then to appreciate the intense anxiety under which I labour at the present moment, when there seems occasion to enquire whether his Majesty’s rules and regulations, which have been issued for the guidance of the army on the subject of suppression of riot, have become a *dead letter*.

“ Surely to God it is time to raise my voice, and to

put this question, when an officer under my superintendence, who has now to answer before this Court for having *declined to act against the rioters under a distinct and written authority to do so from the Chief Magistrate* of this city, has called upon another officer under my superintendence to speak to his conduct during the Bristol riots, which officer *did not hesitate to act against the rioters, under a similar written authority to do so from the said Chief Magistrate of Bristol.*"

[Sir C. Dalbiac here read extracts from "The substance of the law for the guidance of the military in the suppression of riots," as entered in his Majesty's regulations and orders of the army, and also quoted the opinions of Lord Chief Justice Tindal and other eminent authorities on the same point.]

"Far, very far indeed, be it from me (continued the gallant officer) in an humble endeavour to uphold what I deem to be the law upon such like occasions, to advocate the principle, that British troops, in the absence of a peace officer, are to take redress into their own hands, and to have recourse to violence, upon every trifling tumult or disturbance, or breach of the peace, or in *any* case where neither the life or the property of the subject, or their own preservation, is *seriously and distinctly menaced*. Such is *not* the law of the land! such has *never* been the practice of the British soldier. God in heaven forbid that it should ever become either one or the other! The humanity and forbearance of the British soldier, upon every occasion of popular tumult or commotion, have been proverbial for ages. Long may those qualities form his highest attributes! I would abhor the soldier that could take advantage of tumult to shed unnecessarily one drop of blood. Bear and forbear should be our motto. But I may ask, are there *no* occasions where forbearance ceases to be a virtue? Are there no limits, beyond which forbearance becomes criminal, when it adds atrocity to atrocity, and sacrifice to sacrifice, and when the innocent and well-disposed, rather than the guilty and ill-designing, are compromised in its consequences? A reply to these questions may be too readily, *too mournfully* furnished by the city of Bristol! Let us consider, moreover, how many circumstances may occur to cause the absence of

all civil authority. Sickness, infirmity, distance, intervention, supineness, disinclination,—any of these may peradventure tend to keep a peace officer from the actual scene of riot and outrage. It is on those occasions that his Majesty's troops, and especially the officers who command them, are to trust to the rules and regulations which have been prescribed by his Gracious Majesty for their guidance, founded indeed upon the declared and acknowledged law of the land. In that beautiful Charge to the Grand Jury of this city, to which I have had occasion to allude, the Lord Chief Justice is reported to have thus expressed himself: "it has been well said that the use of the law consists *first*, in preserving men's persons from death and violence; next, in securing to them the free enjoyment of their property."

"Having thus been informed of the *primary* use and object of the law, I do boldly affirm, that the *first public service* due from the soldier to his country, is the maintenance of *that law*, in contributing, as far as in him lies, towards the security of the subject and the protection of property, and that it becomes the military, even in the absence of a peace officer, to put down riot and tumult by force, whenever such riot and tumult shall be sufficiently outrageous to place the life or the property of the subject decidedly in danger, and when that danger cannot be turned aside without forcible interference. And here I may be allowed to observe, that the officer who is placed in the command of a body of troops upon such occasion, is not to consider the *cause* of the absence of the Civil Authority, nor under any *presumed* dereliction of duty on the part of the magistracy, to refuse to do *his* duty, when the riot is either so sudden, so urgent, or so atrocious as imperatively to demand his decided interposition.

"I repeat that my observations do not point at trifling occasions; but I have no hesitation in declaring, that they *do* point at *all* such outrages and enormities as those which, commencing with the destruction of the Bridewell, soon after noon on Sunday, the 30th of Oct., were perpetrated throughout the city of Bristol, without check or controul, or even an attempt at interference, until five o'clock on the following morning.

“ Is it that we are maintained only that our services shall be employed against a *foreign* enemy ? Is it that we are paid by the public and that we have no *domestic* service to perform ? Shall the open rebel, the public robber, and the midnight incendiary be suffered to stalk forth in our streets to proceed from atrocity to atrocity, and his Majesty’s troops be told that he can lay no hand upon them but in the presence of a Magistrate ? Shall our laws be violated in their best and dearest interests, the destruction of public and of private property be carried on in a systematic progression ?—Shall our gaols be forced at noon day, and the felons let loose upon society ?—Shall our city be fired at all points, and sacrilege be carried to the very thresholds of our altars, and British troops be taught that they must stand by and look on, or be held fast in their quarters, till a peace officer shall arrive to command and to direct their exertions ?—Shall the aged and the infirm—the sick and the helpless—the nursing mother and the nestling infant be torn from their beds at the dead of the night, to glut the reckless fury of the plunderer and the incendiary—and the British soldier be told that he must stretch forth *no hand to save, without the sanction of a Magistrate* ? God forbid ! I say, God in Heaven forbid !

“ I have now to express my acknowledgments to the Court for suffering me to trespass so largely upon their patience. I have yet an indulgence to crave at their hands. It is well known, I believe, to most members of this Court, that the observations which I have presumed to offer, with respect to the law for the suppression of riots, as applied to the Military, have arisen, for the most part, out of circumstances which occurred in the course of the prisoner’s defence ; and unversed as I am in legal phrase, it is much more than possible that I shall have been betrayed into some expression which may admit of a different interpretation to that which I have desired to give it ; I request therefore of the Court that they will put *any* construction upon my expressions save that which would impute to me the most remote idea of having contemplated the slightest infraction of the law, or the slightest usurpation of the Civil Power by the Military Forces of these kingdoms.

"I protest once for all that it is the occasional prostitution of the Law in the manner of employing our military forces, and the occasional prostitution of our military force when called upon to maintain the law, that I do severely deprecate, and against which *only* have I desired to raise my humble voice.

"I now commit the case of the prisoner into the hands of this Honourable Court; in doing which I have only to express my earnest desire that when the Court shall proceed to pronounce judgment, should the conduct of the Prisoner in either of the Charges, or in any part of either Charge admit of different constructions, the Court will put that construction upon his conduct which is most favourable to the Prisoner, to the utmost extent which is compatible with their duty to the King, to his Majesty's service, and to the obligation under which their judgment is to be pronounced. And whatever that judgment may be as affecting the Prisoner, I most sincerely, *most fervently* pray, that the results of this trial may be productive of benefits not merely to the interests of the British army, but what is of far deeper import, to the interests of the nation at large! And may the flames of Bristol serve as a beacon to every town and city in the United Kingdom!"

Sir Charles having concluded his eloquent and forcible address, (which occupied 1 hour and 53 minutes in the delivery) the President asked Captain Warrington if he had any further observations to make. On his replying in the negative, the President ordered the Court to be cleared, that the members might consider their judgment.

#### EIGHTH DAY.—Friday, Feb. 3.

The Court having met to deliberate on the evidence, came to the following decision:—That Capt. Warrington is guilty of the first and second charges, and of the first three counts of the third charge; and that he is not guilty of the fourth count of the third charge. And such conduct, on the part of the said Capt. Warrington, evincing a want of the vigour and activity requisite in the situation in which he was placed, being unbecoming his character as an Officer, and in breach of the Articles of War, the

Court doth, in virtue thereof, sentence him, the said Capt. William Henry Warrington, of the 3rd regiment of dragoon guards, to be *cashiered*.

**H. FANE, Lieutenant-General and President.**

**A. THOMPSON, Deputy Judge Advocate.**

The Court submitted to the Throne, an earnest and forcible recommendation in favour of Capt. Warrington. The grounds of that recommendation are described to have been,—

“ 1. The extremely difficult situation in which an inexperienced young man was placed,—between a military superior and civil authorities,—both acting so as to perplex and paralyze him.

“ 2. That his offences were errors of judgment, not proceeding from want of *zeal* to do his duty.

“ 3. That when under proper command, both at Bristol and elsewhere, ample evidence had been adduced of Capt. Warrington’s active and proper discharge of his duties.

“ 4. That the strongest testimonies to his general character were laid before the Court, by several officers of high rank, and others, under whom he had served.”

His Majesty was graciously pleased to authorise Capt. Warrington to dispose of his commission at the regulated value. By the regulations promulgated from the War-Office, it appears that the full price of a Captain’s commission in the dragoon guards, dragoons, lancers, and hussars, is £3,225; the difference in value between the several commissions in succession to that of Captain is £2,035; and the difference between full and half-pay, £1,035. Capt. W. was promoted to a troop in the 3rd dragoon guards in June, 1830. He had previously had the rank of Lieutenant in the same corps for three or four years. The 3rd was much distinguished at Talavera, Vittoria, and other places in the Peninsula.

ERRATA.

Page	5, line 26, for "remark"	read <i>remarks</i> .
—	8, — 5, — "heads"	— <i>hands</i> .
—	9, — 6, — "This"	— <i>His</i> .
—	9, — 7, — "whom"	— <i>them</i> .
—	19, — 25, — "is"	— <i>are</i> .
—	19, — 29, — "cause"	— <i>course</i> .
—	17, — 4, — "effected"	— <i>effective</i> .
—	18, — 18, — "gestation"	— <i>agitation</i> .
—	37, — 13, — "Aluistes"	— <i>Abolists</i> .
—	78, — 99, — "saved"	— <i>prevented</i> .
—	84, — 7, — "that"	— <i>from</i> .
—	109, — 15, — "a London radical Paper,"	— <i>London radical Editors</i> .
—	118, — 19, delete "but."	read <i>His face</i> .
—	119, — 96, for "who it was"	— <i>means</i> .
—	122, — 16, — "ability"	— <i>forward</i> .
—	188, — 27, — "forwarded"	— <i>His</i> .
—	184 — 18, — "her"	

